The Outlook

Volume 82 Saturday, January 13, 1906 Number 2

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THE OUTLOOK is a Weekly Newspaper and an Illustrated Monthly Magazine in one. It is published every Saturday—fifty-two issues a year. The fourth issue in each month is an Illustrated Magazine Number, containing about twice as many pages as the regular weekly issue, and many pictures.

PRICE.—The subscription price is Three Dollars a year, payable in advance. Ten cents a copy.

POSTAGE IS PREPAID by the publishers for all subscriptions in the United States, Hawaiian Islands, Philippine Islands, Guam, Porto Rico, Tutuila (Samoa), Shanghai, Canal Zone, Cuba, Canada, and Mexico. For all other countries in the Postal Union add $1.56 for postage.

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LETTERS should be addressed:

THE OUTLOOK COMPANY

Chicago Office, 1436 Marquette Building

287 Fourth Avenue, New York

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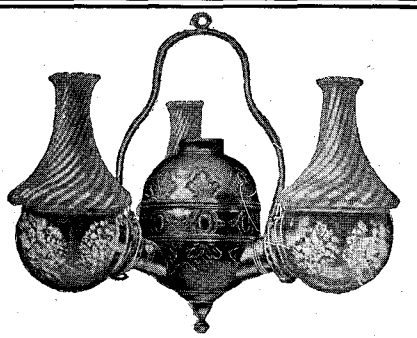

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The Outlook

SATURDAY, JANUARY 13, 1906

❀

The Philippine Bill

If any of the speeches made in Congress last week by members of the opposition brought forward arguments against the bill to the effect that the proposed tariff relief would not be for the best interests of the Filipinos, or that it was not the duty of Congress to further those interests, we have failed to note the fact. The policy of the Administration was opposed or delayed, on the other hand, in two ways, both of which are far from corresponding to the description above: one consisted in gibes at the Republican party for inconsistency and timidity in its former course upon tariff matters, and in particular for its alleged unwillingness to take up seriously the question of the sugar differential; the other, in asserting that certain special interests (namely, the tobacco-growers and the beet-sugar growers) in this country would be injured by increased prosperity in the Philippines. The first need not be taken seriously as obstruction or argument; it was, in fact, the lightest of party skirmishing. Mr. Clark, of Missouri, a Democratic member, amused the House by a witty though not very dignified speech in which he favored the bill itself, minimized the effect that could be produced on the tobacco and sugar interests of the "United States proper" by what he called "the United States improper"—Hawaii, Porto Rico, and the Philippines; declared that the beet-sugar people were seven years behind the times, as they should have blocked the admission of Hawaiian sugar; and alleged that the Dingley tariff law was producing a deficit of a million dollars a day. If his speech represents the attitude of the Democrats, this is that the Philippine tariff bill is an excellent thing, but that the Republicans should have no credit for it. The real opposition is from Republicans who put local protection for their constituents' business above considerations of National duty. On the other hand, Mr. Payne squarely answered the taunt that he had changed his attitude since the Porto Rican tariff measure was under discussion by saying simply, "I take my present position because it is right." And Mr. Hill, of Connecticut, a Representative from a tobacco-growing State, said manfully that while he was a protectionist from the crown of his head to the soles of his feet, he was a protectionist against foreign countries and not as against our own possessions. This is the true and only answer to the repeated assertions of the opponents of the Administration that the Philippines are treated now as American territory, now as a foreign country, according to the dictates of policy.

❀

An Important Decision

The Criminal Code of New York makes it a penal offense for any employer of labor to "coerce or compel any person or persons, employee or employees, laborer or mechanic, to enter into an agreement, either written or verbal, from such person, persons, employee, laborer, or mechanic, not to join or become a member of any labor organization, as a condition of such person or persons securing employment, or continuing in the employment of any such person or persons, employer or employers." The Appellate Division of the Supreme Court in the District of New York has unanimously held that this provision is unconstitutional. This is in accordance with a long line of decisions to the general effect that the Legislature can limit the private right of contract only so far as may be necessary to protect public health, public morals, or the public welfare. The refusal to employ union men does not affect the public health nor the public morals, and, says the Court, it

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can be said to affect the public welfare only on the ground that such a refusal will tend to incense employees and promote breaches of the peace and consequent public disorder, and—

> No statute can be sustained on that theory. It is the duty of the State and the Nation to protect every citizen in the exercise of his Constitutional rights, and so long as the State and Nation last, inability or unwillingness to perform that duty may not be assigned as a justification for a law making the exercise of one's Constitutional rights a crime.

The Court recognizes the legitimacy of labor unions, but declares that it is not competent for the Legislature to force individuals against their will to become members of the labor unions as a condition of obtaining employment, nor to compel employers under penalty of fine or imprisonment to employ union men only. It concedes, however, though it does not affirm, that it may be constitutional for the Legislature, under its general power to alter, amend, and repeal the charters of corporations, to make it unlawful for corporations to require their employees not to be members of labor unions. In the judgment of The Outlook this decision, which may be regarded as one, if not in favor of the open shop, at least in favor of the legal right to maintain an open shop, will really inure to the benefit of the trade unions. For whatever compels them to abandon the policy of coercion, and depend on making the trade unions so valuable that every member of the trade will wish to join, will, in the long run, promote the efficiency and so the strength of those organizations.

❀

An Inelastic Currency

Mr. Jacob H. Schiff, in an address last week at the Chamber of Commerce of New York City, called attention to the radical defect in our currency system, and declared that if it was not corrected the consequences might be very serious. The most important portion of this speech, which produced a decided sensation in financial circles, is found in the following sentences:

> "We have witnessed," he said, "during the past sixty days, conditions in the New York money market which are nothing less than a disgrace to any civilized country. There must be a cause for such conditions. It cannot be the condition of the country itself, for wherever you look there is prosperity—prosperity as we never had it before. . . . The cause is in our insufficient circulating medium, or the insufficient elasticity of our circulating medium. . . . I don't like to play the rôle of Cassandra, but mark what I say. If this condition of affairs is not changed, and changed soon, we will get a panic in this country compared with which the three which have preceded it would be only child's play."

The difficulty has been compared, by a sagacious business man, to that experienced by the railways at a certain season of the year when their freight cars are insufficient for the freight traffic. Yet to have sufficient freight cars for the busy season requires many cars standing idle during the rest of the year. How to secure money enough for the busy seasons without idle money the rest of the year is the financial problem. Mr. Schiff proposes to allow the bankers to issue additional circulation beyond that now permitted, basing it upon commercial paper of unexceptionable character. To meet this difficulty Secretary Gage advocated in 1900 a system of elastic bank currency to be secured by deposits of Government bonds equal to thirty per cent. and a legal tender deposit of twenty per cent., the remaining fifty per cent. to be based upon assets and secured by a guarantee fund. In his latest report Mr. Shaw, the present Secretary, recommends permitting the National banks to issue additional Government-guaranteed circulation equal to half their bond-secured circulation, the new notes not to be secured by bonds but to be subject to a tax of five or six per cent. until redeemed; naturally, the additional circulation would not be issued until interest rates exceeded six per cent., and would be quickly retired when interest rates declined below that amount. Thus we have three plans for currency elasticity. The first two find some analogy in the German system. The Reichsbank is empowered to issue regularly a large amount of uncovered or asset currency, and in times of great demand a further elasticity is provided for by additional issues subject to a tax of five per cent. paid into the Imperial Treasury. During the crisis of 1900–1901 in Germany this system is said to have saved the nation from

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disaster. Mr. Schiff's plan, on the other hand, finds a certain analogy in the history of the New York City Clearing-House during the crisis of 1893. Bank reserves had fallen below legal requirements and currency was scarce. Lacking cash for payments, the banks put out paper instead, chiefly in the form of Clearing-House loan certificates. This paper was accepted apparently without question, though it was reported that a hundred million dollars in Clearing-House certificates had been issued. That the perils of the present inelastic conditions are very real, that over-expansion of the currency tends to wildcat speculation, and inadequate currency produces an increased value in money and a consequent National inconvenience that may easily become a National distress, is apparent to all thoughtful men. It is not so easy to prescribe the remedy. The Outlook believes that it would be wise to secure the appointment of a small body of experts representing different financial interests and different sections of the country to consider and propose a plan for the consideration of Congress.

❀

The Rights of Railway Passengers

The traveling public will welcome the decision of the Appellate Division of the Supreme Court in New York in a suit brought by a passenger against the Pullman Company. The plaintiff purchased a ticket for a double lower berth in the sleeping-car from San Antonio, Texas, to Jersey City. When he reached New Orleans, where he had to change cars, he was informed that there was no lower berth for him, and as he was accustomed to walk in his sleep, he believed that an upper berth would be unsafe for him and he was obliged to ride in an ordinary coach for two days and a half. He brought a suit for damages. Under the charge of the trial judge he recovered a verdict for the eight dollars which he had paid for the lower berth which had not been accorded him. The Appellate Court ordered a new trial on the ground that the plaintiff was entitled to something more than the price of his ticket, which was not an adequate compensation for the discomfort and inconvenience suffered by the plaintiff. Says the Court in this decision:

> Public policy also requires that a liberal rule of damages should be accorded the plaintiff in such a case. If the damages are in such case to be limited to the cost of the ticket, not only will the traveling public be seriously inconvenienced and annoyed, but it would lead to the resale of tickets for gratuities tendered by subsequent applicants and result in the utmost confusion. The sleeping-car company has notice of every element of damages that a traveler is liable to encounter in such circumstances. For the indignity inflicted upon the passenger in the presence of other passengers by being refused the berth which he had purchased, and by being obliged to leave the sleeping-car, and for the inconvenience and annoyance which he suffers by being obliged to travel in a day coach without sleeping or washing facilities, and being obliged to change cars at early and late hours, he should be compensated. Although the decisions on this point are not fully in accord, the trend of judicial authority is that these are elements of damage for which a recovery may be had.

It is to be hoped that this decision will render the Pullman Car Company somewhat more careful than it is accustomed to be in its assignment of berths. The selling of berths or seats twice over to different passengers is not an infrequent event, and usually the complaint to the Company results in no compensation whatever to the passenger, though we believe the clerk is sometimes fined, so that the Company gets the profit of two seats sold and only one occupied plus a fine collected from one of its subordinates.

❀

Reforms in Insurance Management

Although the Insurance Committee has not yet made its report, the publicity afforded to insurance methods by its investigation has already produced good results. Last week Mr. John A. McCall resigned his position as President of the New York Life Insurance Company, to be succeeded by Mr. Alexander E. Orr, the President of the New York Rapid Transit Commission. In tendering his resignation to the Board of Trustees Mr. McCall turned over to the Company his check for $85,000 and his personal note for $150,000, to cover the sum of $235,000 paid to Mr. Andrew Hamilton in 1904, and not satisfactorily accounted for by him

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in his recent statement. The trustees accepted Mr. McCall's payment, which will be held subject to a further audit of Mr. Hamilton's account. They had already refused to accept the deposit of $100,000 which Mr. Hamilton desired to make for a similar purpose. Each of the "Big Three," as the New York companies which are at the head of the life insurance business in this country in point of size and prominence are called, is now under new management. The affairs of both the New York and Mutual Life Insurance Companies are being investigated by committees of their trustees, and a similar investigation under the direction of its President, Mr. Paul Morton, has just been completed of the Equitable Society. In a letter to the policy-holders of the Equitable Mr. Morton reports that a rigid examination by two firms of chartered accountants shows that the assets of the Society are intact and worth over $416,000,000; that the surplus amounts to over $67,000,000, about seven-eighths of which is a fund for division among existing deferred dividend policies at the end of their accumulation period; that economies amounting to over $600,000 a year have already been introduced. Mr. Morton states further that he expects to institute other economies of a radical character, and that the Society will depend upon its policy-holders that no unreasonable legislation is enacted; under no circumstances will it be a party to corrupt methods in preventing "strike" legislation. It is universally recognized that the practice on the part of agents of giving rebates to new policy-holders on their premiums is a widespread and serious evil. An agreement has just been entered into by the Equitable, Mutual, and New York Life Insurance Companies that they will not countenance the giving of rebates by their agents, and that any agent found guilty of the practice will be immediately discharged and will not be re-employed by either of the other companies. Mr. Grover Cleveland has been engaged by the companies, at a salary of $12,000 a year, to act as referee in any disputed cases of rebating. An editorial on the subject of insurance appears on another page.

The Printers' Strike

The housesmiths' strike, of which we gave some account in The Outlook for December 9, has failed, as such strikes always ought to and generally do fail. A new one has now been organized for a general raise in wages from $4.50 to $5 a day. Such a question of wages ought to be settled by the conciliation of arbitration, not by industrial war. A far more serious strike is that of the printers. The Typographical Union is one of the strongest of the trade unions. It insists upon the closed shop—that is, none of its members are allowed to work in a printing establishment if any non-union men are working in it. In addition there are some other regulations which employers have found irritating, if not seriously injurious to their business. Printers on the daily papers have an eight-hour day. The Typographical Union is now striking for an eight-hour day in all composing-rooms. It is conceded that this shorter day will involve an increased expense to the employers. The members of the Typothetæ—that is, the employing printers—are not only resisting the demand for an eight-hour day, but are taking the occasion to demand the open shop. If we are correctly informed, the strike has not quite the extent which the daily press would indicate. It is said that in New York City there are 7,500 printers, and only about a thousand engaged in the strike, the rest being either employed by the daily press, or in shops not connected with the Typographical Union, or by establishments which have yielded to the demand of the Union. The principles of The Outlook, repeatedly affirmed, lead to a twofold judgment on this strike. Dividing the day into three equal portions, giving one-third for sleep, one-third for work, and one-third for rest, recreation, and home, is certainly a good division. Yet it is obviously not possible to apply this division equally to all establishments. Generally speaking, The Outlook believes heartily in an eight-hour day, and, beginning with the first of January, this schedule has been adopted in the composing-room which is under our own control. The Outlook does not believe in the closed shop as an

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essential element in trade union principles. In our judgment, the unions would gain more in enthusiasm than they would lose in members if they were all to adopt the principle, which some of the most prosperous trade unions have adopted, of trusting to the general advantage of trade unionism and public sentiment among workers to secure membership in their organizations, without attempting to coerce workingmen into trade unions by the attempt to drive them out of employment unless they are unionists. If the contest between the Typographical Union and the employers were based primarily or chiefly upon a demand for the closed shop, in comparison with the open shop, The Outlook would find itself compelled to stand in opposition to the Union on this point, even though our own establishment is not an important factor in the situation, for, with the exception of type-setting, the printing work of The Outlook is done by contract. Since, however, the chief demand is for an eight-hour day, in which The Outlook believes, and to which there are indications that substantially all employing printers will come within a short time, The Outlook has deemed it wise to adopt the eight-hour day, and postpone consideration of the question of the open shop.

❀

Political Affairs in New York State

By a majority of five-sevenths, Mr. James W. Wadsworth, Jr., was last week elected Speaker of the New York Assembly. Only twenty-eight years of age, with but a year's experience in the Legislature, Mr. Wadsworth has been called upon to bear an unusually heavy political burden. Upon him, in the first place, rests much of the responsibility for the conduct of the Republican party in the State at a time when that party is resting under the shadow of discredited leadership. Whether justly or unjustly, Mr. Odell, former Governor and present Republican State Chairman, has been attacked with more bitter and contemptuous animosity than any leader has in recent years been forced to endure. With the election of Mr. Herbert Parsons, a high-minded man, as Chairman of the Republican Committee of New York County, in place of Mr. Odell's henchman who conducted the campaign in New York City so disastrously last November, the power of the State boss was shaken. With the election now of Mr. Wadsworth as Speaker, Mr. Odell's power, for the present at least, seems shattered. Mr. Odell's warning that the State may now become Democratic has been interpreted as a threat. It is possible that he may make that threat good. The new Speaker, therefore, confronts a difficult situation. He, moreover, presides over a branch of the Legislature which has the duty of embodying in law the results of the insurance investigation. This is a task to which he brings little experience; but, as one legislator has remarked, his inexperience is better than certain varieties of experience. Governor Higgins, whose support of Mr. Wadsworth's candidacy was the signal for the final revolt against Mr. Odell's leadership, has, in a firm message to the Legislature, outlined the problems of insurance and taxation which the Legislature is called upon to solve. The whole Nation has reason for watching with interest the process by which New York State not only deals with such Nationally important problems as those of insurance, mortgage taxation, ballot reform, water supply, and the preservation of Niagara Falls, but also meets the conditions created by the dethronement of a boss capable of resentment.

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Prices in Canada and the United States

The readers of The Outlook are indebted for the following summary to a special correspondent of The Outlook who is now touring the Maritime Provinces with the Commission: "The transcript of the notes of the evidence and discussions before the Canadian Tariff Commission would make a much larger book than the 'Historians' History of the World.' It would constitute a veritable Domesday Book for Canada; replete with facts concerning industrial and social conditions in the Dominion in the opening years of the twentieth century. The transcript is not to be printed. Only five typewritten

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copies are being made by the official shorthand writers for the use of the Commission. But were these notes to be put into book form, and made available for public reading, one surprising fact would confront the student who could give the necessary time to the work. The notes would show that, except as regards foodstuffs, all goods are cheaper to buy in the United States than in Canada. In these days of a high tariff in the United States, and of combines beyond count, this statement may seem to call for some qualification. Some explanation is in order; but there is no need for qualification. The explanation is that although the Dingley Tariff is from twenty to fifty per cent. higher than the Dominion Tariff of 1897, American manufacturers cannot or do not live up to the limit of their tariff protection as Canadian manufacturers generally do. Canada has its combines pretty much as the United States has. Seventy of them were exposed in the criminal courts at Toronto while the Tariff Commission was in that city, and these combines undoubtedly have helped the manufacturers in keeping up prices to the tariff limit. The plea of the manufacturers, however, is that prices must necessarily be higher in Canada than in the United States—combines or no combines—because the market is so very much smaller. A smaller market means a higher cost of production. Scores of Canadian manufacturers have appeared before the Commission to plead that this is the greatest industrial disadvantage under which they labor. Comparative details of American and Canadian manufacturing costs have been submitted in connection with nearly every manufacturing interest in Canada. One case will serve to illustrate the position. The manufacturers of cotton prints, who appeared before the Commission at Montreal, showed that the demand for printed cottons is almost identical in Canada and in America; but that while in New England one set of printing-machines can be run year in and year out on one line of goods, in Canada the home demand for one line is not sufficient to keep the machines running for a month. The manufacturers of picture moldings and frames and of silver-plate ware, and the lithographers, presented similar cases; and among manufacturers in Canada about the only men who are not working under these disadvantages are the merchant tailors and the cigar-makers. It is clearly the immense population in the United States, the competition which still prevails in many lines of industry, and the way in which industries are distributed over the country, that serve to make it unnecessary for manufacturers, or make it impracticable for them, to push prices to the Dingley limit. Canada has not the large population; there is little or no real competition among her manufacturers, and her industrial plants are not distributed over the country as the plants are in America. In a country that is determined to have a protective tariff, that is bent at any cost on building up its industries by means of high tariff protection and bounties from the central Government and bonuses and tax exemption from the municipalities, these conditions are unfortunate—burdensomely unfortunate for the consumer; and as the evidence which has been submitted in behalf of the farmers in Ontario and Quebec and in the Far West has shown, the burden of the cost of upbuilding these industries falls chiefly on the farmers. It is now beyond question that the farmer of the Dominion, who it is conceded gains not the least advantage, direct or indirect, from the protective tariff, is being heavily mulcted on everything he buys to put the Canadian manufacturer, with his smaller manufacturing equipment, his smaller output, and smaller and more widely scattered market, on as good a footing as the manufacturer in the United States."

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San Domingo The death in battle of General Roderiguez on Tuesday of last week is considered a serious blow to the political faction to which ex-President Morales belongs. It has been followed by the formal impeachment of Morales before the Dominican Supreme Court, and there is little doubt that on his failure to appear and put in a defense he will be pronounced guilty

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of treason. Ramon Caceres, the former Vice-President, has been sworn in as President, and, unless overthrown by insurgent success in arms or by conspiracy within his own party, will hold office until the next general election, which takes place in 1907. In the skirmish or battle near Puerto Plata in which Roderiguez was killed the total loss on both sides was about seventy-five killed and perhaps double that number of wounded. A characteristic incident illustrating the instability of parties and candidacies in San Domingo was Roderiguez's declaration before the battle (which he was fighting in the name of Morales) that if victorious he should himself at once become a candidate for the Presidency. Caceres's accession is really a triumph of the old Horacista faction (named after Horacio Vasquez) as against the Jimenistas, or followers of Jiminez. A patched-up truce between these factions after the overthrow of President Wos y Gil led to the selection of Morales as a compromise or provisional President under the agreement, it is said, that Jiminez should be his successor. The Horacistas have been gaining strength, and it was because he feared that they would overthrow him that Morales fled and took up arms. Where he is now is not known. There are at least half a dozen "generals," in command of small bodies of soldiers, nominally supporting the Caceres government or the Morales opposition, every one of whom would be an aspirant for the Presidency if an opportunity presented. The Dominican Consul-General in New York is reported as saying that President Caceras can give far more substantial aid to the pending treaty between the United States and San Domingo than Morales. Whether this is so or not, the greater the anarchy in San Domingo the stronger the need of just administration of its finances and the greater the danger of foreign creditor nations intervening.

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The Russian Duma

The past week in Russia has been chiefly remarkable because of the preparations for the elections to the Duma, or Parliament, promulgated by Imperial decree last August. Of the taxpaying classes, in St. Petersburg alone more than seventy thousand persons registered. Many members of labor and Socialist organizations, however, are not registering. Their leaders have ordered them to boycott the elections on the ground that the Duma is not being chosen by direct, secret, and universal suffrage, and that it is to have no guaranteed power to frame a Constitution. The revolutionary Socialists have adopted a series of resolutions declaring against any participation in what they call "police elections," but urging Socialists to take advantage of such freedom of meeting as may be allowed them to discuss the elections and preach the doctrine of armed revolt. The Social Democrats in general do not go so far as this. They may even boycott the Duma; but they believe that a Constitution can be secured without the horrors of a revolution. The Moderates and Liberals favor, of course, using the elections and the Duma as a stepping-stone to genuinely representative and popular government. It is unfortunate that they are not supported by the more conservative Socialist and labor organizations. The Witte Ministry in general, and Minister of the Interior Durnovo in particular, do not seem to be shedding any tears over the refusal of the proletariat organizations to take part in the elections; indeed, encouraged by their success in mercilessly repressing the Moscow revolt, they are apparently falling into the error of which the revolutionists in many places in Russia have been guilty. Law and order should be upheld, of course, but an advantage can be pressed too far. In St. Petersburg, for instance, there have been wholesale searches for arms or evidence by the police acting under the Minister of the Interior. These have now been succeeded by an exasperating order from the prefect of police which practically gives to the dvorniks, or house porters, a free hand to search private lodgings for arms, and suspicious persons for documents, offering a premium of a ruble (about fifty cents) to them for the discovery of every revolver or bomb, and half as much for a knife. Not since Plehve's time has any Minister

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of the Interior countenanced such an offensive order.

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Politics in Great Britain

The political campaig England is becoming animated. The Parliament elected in 1900 was dissolved on Monday, and a new Parliament summoned to meet on the 13th of next month, the interval between dissolution and reassembling being the shortest allowed by law. The election will be more generally contested than any which has taken place in twenty years. Twenty years ago this year the rejection of Mr. Gladstone's first Home Rule Bill for Ireland was followed by a fierce contest throughout the country. At the election held six years ago many of the nominees of the Unionists were elected without opposition; reports indicate that in the present election there will be opposing candidates in practically all the borough divisions of Great Britain. At this distance indications point to a general gain on the part of the Liberals. The Conservative plan of campaign halts, and it looks now as if it were doomed to failure. The country refuses to believe that the real matter at issue is the Home Rule question; it sees clearly, apparently, that the Liberals are not only sound in policy but true to the fact in making the fight turn on the free-trade issue. Two somewhat unusual demonstrations of feeling took place last week. Disorderly political meetings are by no means uncommon in England, and political speakers are often howled down; but it does not often happen that men of the position of Mr. Balfour and Mr. Chamberlain are silenced by riotous proceedings, as these two gentlemen were at Derby and Manchester last week. The Liberals have made two very substantial gains. The Duke of Devonshire, who has been an uncompromising Unionist since the last election, and who carries great weight in England, not only on account of his position, but on account of his recognized independence of mind and disinterestedness, has issued a manifesto to the Unionists' Free Trade League virtually advising free-trade Unionists to support the Liberal rather than the protectionist candidates. The Duke unceremoniously dismisses the Home Rule question, on which Mr. Balfour is insisting, as a side issue, declares that there is no indication that the opinion of the country has changed since the rejection of the last Home Rule Bill, and that it is in the last degree improbable that the Liberal Government will take the risk of introducing another measure of the same kind in the next Parliament; that, therefore, the question of free trade versus protection is the real issue in the election, and that there must be no departure from the established British policy of free trade. This manifesto is of very great importance to the Liberal party, and its effects are already noticeable in influential quarters. Not less important is the manifesto of the United Irish League, drawn up by Mr. Redmond, which declares that it is the first duty of Irish voters of Great Britain "to aid to the utmost in the discomfiture of the great coalition which has inflicted such immense injuries on their country." The Irish voters are recommended to support Labor candidates who are sound on the Home Rule question, otherwise they are urged to vote for the Liberals. This action is one of the most sagacious taken for a long time by the leaders of the Irish movement, and will do much to reinspire confidence in their ability to deal practically with a difficult situation. It seems to indicate some understanding between the Irish and the Liberal leaders, and foreshadows, probably, some measure of local self-government which the Irish are ready to accept on the principle that half a loaf is better than no bread.

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The Yerkes Gifts to New York

Under the will of Mr. Charles T. Yerkes, the well-known promoter, the city of New York receives two gifts of the first magnitude. One is a great hospital, to be built in the Borough of the Bronx and to be an institution of the highest order in point of equipment and endowment. The amount of this gift has not been authoritatively announced, but it is reported that it will not be less than three millions of dollars. The other gift con-

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sists of the two houses which Mr. Yerkes occupied on Fifth Avenue, with the very valuable collection of paintings, statuary, bronzes, rugs, and other objects of art which he had been collecting for the last twenty years. Mr. Yerkes is said to have taken the idea of his collection from the well-known Wallace Collection in London. It was on a visit to the Wallace galleries that he realized for the first time the great interest which the public takes in art. This collection, bequeathed to the city of London by the widow of Sir Richard Wallace, is under the control and direction of a board of trustees appointed by the Crown. After Mr. Yerkes had familiarized himself with the contents of this collection, its arrangement, its popularity, and its management, he declared that he would remember the people of the city of New York and of America in the same way. Under the provisions of his will the houses and the collection, on the death of Mrs. Yerkes, or before if she so desires, are to be maintained as a separate public museum, affiliated with the Metropolitan Museum of Art and managed by five trustees, four to be appointed by the Metropolitan Museum, the fifth being the Mayor of the city of New York. The collection which will thus become public property includes nearly one hundred works, largely of early English, Dutch, and Flemish schools, with a generous representation of the work of modern French artists. Among the most notable pictures are portraits by Van Dyck, pictures by Troyon, Corot, Daubigny, Delacroix, and Leschamps. There are also works by Rembrandt, four Turners, and characteristic pieces by Rubens, Ruysdael, Hals, Brouwer, Dow, and Ostade. The collection of rugs is said to be particularly important by reason of the artistic value which it represents. The total amount of the gift in money will probably exceed five million dollars.

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A Garden City

A very interesting development of the garden city movement is being worked out at Peterton, near Cardiff, Wales. The site chosen for the experiment, which is a business one, is within five minutes' walk of the Peterton station. It is surrounded on three sides by low hills, and readily lends itself to striking arrangement. The plan of the village is circular, with the village green in the center. This is surrounded by a row of shops. No others will be allowed anywhere else on any other part of the estate. Five wide boulevards branch off from the village green, communicating with a great outer circle to be known as Grand Avenue. The better class of houses will be located on this outer street, and will be either detached or semi-detached dwellings. Each house will have enough ground for a kitchen-garden and tennis-courts. The other avenues will be arranged in concentric circles, and the style and quality of the houses will depend upon their nearness to the village green, or outer circle, the better ones being near the latter and the less expensive ones being near the former. A limit will be placed upon the amount of land to be allowed any one individual, so that every one may be properly, and as nearly as possible equally, accommodated. Provision is to be made for recreation ground, open places, small parks, and there will be adequate provision for a religious site, and sites will be set aside for the various religious interests. Ground is to be let on ninety-nine-year leases, with a low ground rent, and the tenants are all to build their own houses, subject to the general requirements and limitations of the village. The government will, in all likelihood, be in the hands of a small committee, appointed at a town meeting. In addition to the outdoor recreation features, there will be schools, a village hall, a gymnasium, a reading-room and lecture hall. There is also to be a small village inn.

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School Boards

There was one feature of the recent municipal election in Boston which has received very little attention in proportion to its importance. At the last session of the Massachusetts Legislature an act was passed whereby the existing Board of Education, consisting of twenty-four members, was abolished, and a new Board possessing the same duties, rights, and liabilities, but consisting of only five members, was created. The new Board

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was made elective, contrary to the better judgment of the petitioners. However, at the municipal election of December 12 a fine Board was elected. Among the number was James J. Starrow, who was the father of the act. The Board as elected is made up of excellent men who possess the confidence of the best people of Boston. It is thoroughly representative, consisting of two Roman Catholics, two Protestants, and one Hebrew. Dr. F. V. Thompson, a post-graduate at Harvard, who has carefully investigated the organization and working of school boards in the larger cities of the country, has declared in a thesis prepared on the subject that large school boards, whether elective or appointive, are unmitigated evils. The efficiency of school systems seems to be in inverse ratio to the size of the school committee. He could find no large school board in any of the first fifteen cities of the United States that was at all successful, in the judgment of unbiased minds. The best results are invariably accomplished by small boards. Dr. Thompson points out that there is a marked coincidence between the small boards and the date of the charter. There are but few exceptions, and these are easily accounted for, where a charter granted later than 1890 provides for anything less than a reduced board. The appointive feature seems to be the most marked tendency of the latest charters. The small board, whether appointive or elective, works well. There is nowhere discoverable any intelligent tendency to enlarge small boards. The large elective board is, apparently, altogether bad in constitution, effectiveness, and generally in personnel. Every city investigated possessing such a system is seeking reform, and reform in each case is prevented only by corrupt partisan politics, or from methods equally censurable.

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Church Union in Canada

A long step forward was taken last week toward Church union in Canada. As recorded in The Outlook of January 7, 1905, representatives of the Methodist, Presbyterian, and Congregational Churches, to the number of one hundred and fifty, met a year ago in consultation in Toronto to promote the organic union of those Churches. After three days' deliberation they decided that there were no insuperable difficulties in the way, and committees were appointed to harmonize, if possible, the various systems of doctrine, Church polity, administration, and the status of the ministry. These committees met again in Toronto for further consultation and to report a practical basis of union. That irenical conference met, very appropriately, in the Christmas week, December 20 and 21, in a church decorated for Christmas. A common creed was formulated expressing the essentials of the systems of doctrine of the several Churches. It was found, in frank and friendly discussion, that there were fewer points of difference and more of agreement than they had thought. The sovereignty of God and the free will of man were shown to be the complements each of the other. Similarly it was found that the diverse systems of Church polity and administration and ministerial status could be harmonized to the mutual advantage of all negotiating bodies. The name of the new organization will probably be The United Church in Canada. The names suggested for its courts are: General Assembly, to meet every two years, Annual Conferences, and Local District Councils or Presbyteries. The pastoral term may be of indefinite duration, but a Settlement Committee may assign pastors to their charges from year to year. The principle of lay delegation is recognized in all the Church courts. Much freedom of congregational action is given the several Churches, their ultimate relations being left to the legislation of the General Assembly. This tentative plan of union will be submitted to the General Conference of the Methodist Church, the General Assembly of the Presbyterian Church, and the Congregational Union for further action, and will doubtless be sent by these bodies to the people, who are ultimate authority, for ratification. The Rev. Dr. Carman, General Superintendent of the Methodist Church, presided with rare ability, and three secretaries, representing the three Churches, kept the

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record of this epoch-marking conference. The pressure on the resources of all the Churches in both men and money for the extension of their work in the great Northwest of Canada, so fast filling with a foreign population, was a very strong factor in promoting this union of effort to overtake the needs of the new West. Immigrants are pouring in by the thousands, and it will tax the energies of the United Church in Canada, and all of the other Christian agencies, to supply those needs.

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The Strike of an Opera Chorus

Gounod's "Faust," that most popular and tuneful of operas, was sung last week at the Metropolitan Opera-House without a chorus. Operatic stars of the first magnitude were on the stage in plenty, but the host of lesser lights was absent. In some passages the opera was "cut," but in others the orchestra played its part while mute supernumeraries presented Chorus even more quietly than Bottom promised to play the part of Lion. At the close of the first act Mr. Conried, the manager, read before the audience a typewritten statement in explanation. He declared that the members of the chorus, acting under the orders of the labor union, had, without notice, deliberately repudiated the contract which they had signed with him as individual singers. They had made demands as members of a labor union to which, "as a matter of principle, of respect for art, and of respect for this art-loving public," he had refused to submit. He admitted that his objections to making concessions to the chorus were "not founded upon the nature of the demands themselves;" he simply "refused to be dictated to by the chorus as a labor union." Before the end of the week a reconciliation was effected. Each side asserted that the other side had made a concession. In this probably both sides are right. After conference with President Gompers, of the American Federation of Labor, Mr. Conried received the chorus, without formally recognizing it as a union, acceded to its demands for increased salary and better treatment, and announced publicly that the chorus had yielded to his demands. This is a case where the dispute ought to have been settled without causing annoyance to the public.

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Musicians and Labor Unions

To us, and we believe to all reasonable people, the demands of the chorus seem entirely justified. The members were paid fifteen dollars each a week. This is less, we understand, than is paid to members of the chorus in many musical burlesques. It certainly seems in appalling contrast to the huge salaries, not infrequently a thousand dollars a night, paid to the so-called stars. The work of the chorus singer is not only unremunerative, but is distressingly hard; long-continued rehearsals added to the performances lasting late into the night make a demand upon the nervous energy as well as the physique of the singer which is never made by a labor that does not involve the emotions as does the performance of music. Mr. Conried's defense or explanation seems to us really in the nature of a confession. It is equivalent to his saying that he will grind down the members of the chorus until they make an organized remonstrance and then he will deny them relief because their remonstrance is organized. On the other hand, this chorus, we believe, made two serious errors. In the first place, its members violated their contracts. No enemy of any organization, whether it be industrial or artistic or otherwise, can do it more serious harm than can those, even if they be its professed friends, who counsel it to break its word. Labor organizations have done themselves vast injury by repudiating contracts. The very power of collective bargaining for which they struggle is dependent upon the inviolability of the bargain which they make. The second error which this chorus made, we believe, was in allying itself with a federation of labor unions. The Outlook believes that orchestral players, chorus singers, and all other musical performers not only have the right to organize themselves, but also are likely to be benefited by organization; but they lower their own calling and injure even their economic standing by regarding themselves as laborers, even

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though they class themselves as skilled laborers. In the performance of music the personal equation enters as it does not into even the skilled trades. No singer or musical performer can do his part, even though it be the humblest part, well, unless he regards himself as contributing to a work of art. Certainly no labor federation is capable of understanding the elements that enter into the production of a work of music, and therefore no labor federation ought to have the power to determine in what fashion a work of music should be performed.

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Panama

Mr. Poultney Bigelow has contributed an article to the New York "Independent" describing conditions as he saw them in Panama, which has attracted wide attention. It is wholly pessimistic; from his description it would appear that in the past everything has been done wrong and nothing right, and that throughout the work has been characterized by inefficiency mingled with dishonesty. But he throws no light on the question whether things are going from bad to worse or bad to better; he gives no indication of having interviewed any of the public officials for the purpose of ascertaining what they have done or are trying to do, and intimates that he regards such inquiries as superfluous; his accusation that Secretary Taft in common with others made a superficial investigation and a whitewashing report, and exhibited a "panicky dread of disease where thousands of their fellow-men were exposing themselves," needs no other reply than Mr. Taft's past career, proved character, and public service: in brief, if there are whitewashing reports, there are also black-washing reports, and one is little better than the other.

But when all this is said, it remains true that here is a definite accusation and an individual accuser, who gives specifications, dates, and names, so that his story can be investigated, and either verified or contradicted. Previous anonymous stories are focused in this signed report. The Outlook believes that Mr. Taft's account of conditions at the Isthmus, as given in The Outlook for December 9, is as much more reliable as it is less sensational than Mr. Bigelow's. But the country ought not to rest on beliefs of either individuals or newspapers; it should have assurance. Mr. Taft has himself invited a Congressional investigation. The President, in his special message to Congress accompanying the annual report of the Panama Canal Commission and the Panama Railroad Commission, repeats with emphasis this invitation. It is true that he characterizes as wholly without foundation the charges hitherto preferred against the work as carried on at the Isthmus:

> All the work so far has been done, not only with the utmost expedition, but in the most careful and thorough manner, and what has been accomplished gives us good reason to believe that the canal will be dug in a shorter time than had been anticipated, and at an expenditure within the estimated amount. . . . From time to time various publications have been made, and from time to time in the future various similar publications doubtless will be made, purporting to give an account of jobbery, or immorality, or inefficiency, or misery, as obtaining on the Isthmus. I have carefully examined into each of these accusations which seemed worthy of attention. In every instance the accusations have proved to be without foundation in any shape or form.

But the President proves his faith in the excellence of the work by inviting Congress to investigate for itself. "I court," he says, "the fullest, most exhaustive, and most searching investigation of any act of theirs" (the officials engaged in the Panama work), and he promises exemplary punishment if any one shall be shown guilty of any wrong. To this invitation Congress should at once respond. It owes no more imperative duty to the country than to provide such an investigation as shall discover incompetence or dishonesty if they exist, and shall put an end to the reports of incompetent or dishonest observers if such there are.

Nor should this investigation be made merely by a committee of Congress. It is charged that the inefficiency discovered is largely due to Congressional appointments. The country has quite as much desire to know about Congress as about the War Department. It cannot be difficult to secure the appointment of

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some men of National reputation to go on behalf of Congress, either with a Congressional committee or independently, to make a thorough inquiry and a full report as to present conditions and immediate prospects at Panama.

Let us not be misunderstood. We believe in an Isthmian Canal built by the Government and operated by the Government. We recognize the great difficulties which the Government has to overcome in achieving this undertaking. The engineering difficulties are not insignificant. The sanitary difficulties are greater. The difficulty of securing and maintaining the necessary labor is still greater. Mr. Bigelow is certainly ill informed in his statement that "there is plenty of labor to be had for the asking." But there are other hindrances which, just because they are not patent, are more difficult to overcome. There is a corporate interest, the more effective because it is unavowed. There is a conservatism which does not believe that government should go into any industrial undertaking. There is a partisanship always ready to exaggerate evils for the purpose of attacking the Administration. There are, some journals and some journalists—though the "Independent" is certainly not among them—that think the best way to show a courageous independence is to criticise, if not to vilify, anything that is American. There are politicians, in Congress and out, who are only too ready to foist upon the Panama Canal any man who has rendered them a political service. And there is a spirit of impatience in the American people, who are too eager for immediate results to consider the difficulties to be overcome before the results can be secured.

These constitute excellent reasons for patience with the Government in the work it has undertaken—excellent reasons, too, for distrusting the reports which are published from time to time for the ill-concealed purpose of discouraging the American people and preventing the further prosecution of the work. But they are not reasons for suffering evils which can be corrected, nor for a failure to demand a high standard of efficiency, nor for suffering a popular ignorance as to the work, its conditions, the hindrances it meets, and the progress it is making. The honor of the Nation is at stake in this enterprise. And therefore the Nation ought to know how that enterprise is being conducted.

The Outlook intends to contribute its share to secure this result. Several weeks ago it secured the services of a special commissioner to go to Panama and investigate conditions—Mr. John Foster Carr, author of the article on "Campaign Funds and Campaign Scandals" recently published in The Outlook, and of other carefully written articles in "The World's Work" and elsewhere. Mr. Carr is now engaged in preliminary preparations in order to make his investigation as thorough as possible. He will start the last of this month, but it will be spring or early summer before we can give our readers the result of his investigations. Neither time nor pains will be spared in making them as thorough as it is possible to make them. His object will be neither to eulogize nor to condemn, but to report. His instructions are to make that report without fear or favor. His character is a guarantee that he will make it in no other spirit. And we recommend those readers who are accustomed to trust the honesty and the intelligence of The Outlook to suspend their judgment concerning conditions on the Isthmus till this report of The Outlook's representative is laid before them.

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Life Insurance Reform

The Insurance Investigating Committee has completed its sessions and will make its recommendations to the Legislature for changes in the insurance law as soon as its report can be prepared. It has sat for four months and taken volumes of testimony on the different phases of the life insurance business as conducted in New York State. The testimony has disclosed an astounding lack, on the part of the officers of insurance companies, of a sense of trusteeship, manifesting itself in disregard of the rights and interests of policy-holders and too often in exploitation for personal gain of their property as represented by

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the funds in the treasuries of the companies. Coupled with this misconception of their fiduciary capacity there has been shown to exist among insurance officials a kind of moral cowardice which has led them to expend great sums of money to influence and control legislation and taxation in the different States. Both of these conditions of mind are probably present, in some measure, in those who control other financial and commercial institutions; but nowhere else, except in savings banks, is it of such vital importance that they be eliminated.

Until the recommendations of the Committee are made public The Outlook refrains from making or discussing any definite suggestions for legislation. There is, however, one broad principle lying at the foundation of life insurance which has been almost completely lost sight of in the recent development of insurance business, and even in the recent discussions of the subject. In life insurance the interests of the beneficiary should be paramount. Life insurance was originally intended, and, until the time of the late Mr. Henry B. Hyde, the founder of the Equitable Life Assurance Society, was only intended, to enable a man to provide support after his death for those dependent upon him. On this theory the best insurance company was the one that gave in return for the amount of money which the insured had expended the largest sum to the beneficiary. The invention and introduction by Mr. Hyde of "endowment" or "investment" forms of insurance obscured this principle and diverted attention from the returns which the beneficiary would receive to those which the insured might receive if he lived through the period for which his policy was written. These new forms of insurance made possible the piling up of enormous surpluses, with the almost inevitable consequence of extravagance and exploitation. The endowment policies were more popular, and more of them were written; the company could pay the agent a larger commission on such a policy, and he would therefore recommend it more strongly. Everything co-operated to throw the emphasis from the "straight" life policy to the investment form of policy. In consequence, the insurance company came to be regarded as the best which, measurably ignoring the beneficiary, promised the largest dividends to the insured.

There is without question a real and legitimate demand for endowment policies, but there is a no less real and a more important demand for "straight" life policies from those who can afford to pay only for protection, and to whom the protection is vital. This demand should receive the first consideration, while the other should not be neglected.

If the reform of the insurance law is to be anything more than a tinkering with the law, it must embody in legislation certain general principles. Of these one is most important: The man who desires protection for those dependent on him should be assured of procuring as much protection in return for his premium as is consistent with safety. Only secondary in importance is this principle: The man who wants an additional feature of investment in his policy should be assured of receiving as large a return upon his money as is consistent with safety. In order to produce these results the law should be so framed as to encourage honest, conservative, and economical management, insuring to the beneficiary and the policy-holder all the profits of the business beyond a fair and adequate compensation to officers, a reasonable return on their investment to stockholders, and an ample reserve.

The Situation Abroad

The anarchy which prevails in Russia, and the uncertainty of the outcome of events in the near future in that empire, have given rise throughout Europe to a general feeling of uneasiness. The equilibrium of the Powers has been destroyed, a realignment has not been thoroughly effected, and the various governments, like steamers in a fog, are feeling their way with a good deal of solicitude. There is, however, no probability of any widespread disturbance; the very conditions which have created a feeling of uncertainty tend to the keeping of the peace of the world. The death of the

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Emperor Francis Joseph may at any moment precipitate a crisis in southwestern Europe, the outcome of which no man can foresee; but that menace has hung over the general situation for a long time past and is a danger to which Europe has become accustomed. Conditions have changed, it is true, during the past two years; for Hungary has assumed a much more definitely antagonistic position towards Austria, and the personal popularity of the Emperor has yielded somewhat to the rising tide of racial feeling. New conditions are likely to be produced also by the establishment of universal suffrage, which, while it is likely to diminish the power of the Magyars in Hungary, will certainly diminish that of the Germans in Austria, and anything which diminishes the power of the German element will turn that element more and more toward Berlin, and give a fresh impulse to Pan-Germanism.

Further occasion for alarm is the fact that Germany and France are not yet in full accord in regard to the situation in Morocco, and that, until the conference of the Powers which is to be held next week, uncertainty will exist. It is reported that the French are reinforcing their army along the northern frontier, and that Germany has met this indication of preparation for possible disturbance by an immense enlargement of the facilities for the transportation of troops towards the French frontier. Whatever mistake may have been made by M. Delcassé during the early stages of this misunderstanding has been more than made up by the tact and firmness of M. Rouvier, who has directed the policy of France towards Germany so far in a conciliatory spirit, but without the slightest sacrifice of dignity. The provocation of the French to lose their temper was apparently so definite that when the full story was laid before the Chamber of Deputies last week the party for peace at all hazards was overwhelmingly outvoted, all parties practically uniting in support of the Government policy.

It is said that King Edward VII., who has made himself one of the foremost personalities in Europe, is using all his tact and personal influence to persuade the German Emperor to take a moderate course. France wants an open door in Morocco for all commerce and the policing of the country under French control. Germany, on the other hand, will take the position that this control ought to be international in its character. The United States will be represented at the conference by Mr. Henry White, Ambassador to Italy, and Mr. Gummere, the American Minister in Algiers. The fact that an American fleet is to be in the neighborhood at the time of the meeting at Algeciras has been made the basis of some sensational reports, to which no kind of importance is to be attached. The plan which takes the fleet into the Bay of Gibraltar next week was made long before the conference was arranged to be held at that point. Our Government will keep clear of any possible complication in the matter, and will use all its influence to secure a pacific adjustment of differences.

It must be said, on the other hand, that the German Emperor, although somewhat aggressive in his tone, has for more than twenty years falsified every prediction of warlike intentions or a bellicose policy. In the present isolation of Germany it is not surprising that when he found himself left out of an arrangement which affected in a way German interests, he frankly declared that Germany must be consulted when international questions are at issue. That the Emperor is a statesman was demonstrated long ago, and his foresight has been justified by the events. As has often been pointed out in The Outlook, he saw when he ascended the throne that Germany could maintain her position only by an enormous increase of her financial resources, and he set to work to secure that increase with a precision, thoroughness, and mastery of detail which stamped him as a man of very great ability. There is every reason to believe that the statement he has so often made, that the German Empire needs and desires peace, is sincere. The desire for peace is universal, in spite of an occasional note of arrogance on the part of certain sections of German society; the need of peace is evident. So far as can be foreseen, a great war at this juncture would find Germany in an extremely perilous posi-

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tion, would very seriously interrupt her development, and might jeopardize the integrity of her colonial interests. The Emperor has everything to lose and very little to gain by war with France or with England.

The accession of the Liberals to power in England involves no change in the foreign policy of that country, the keynote of which is a close alliance with Japan, a very cordial understanding with France, and the best possible relations with the United States. This is a broad-minded and far-seeing policy which makes for the peace of the world, and the Liberals have pledged themselves to its continuance. This is not only politic, but strictly in accordance with Liberal traditions. It would be a great step in advance if the relations of Germany and England could be put on a more friendly footing. The root of the unpopularity of the English in Germany and the dislike of the Germans by the English is very largely the sharp commercial competition which exists between the two countries, and business interests are quite as prominent in the politics of Europe as in those of the United States. The modern world is rapidly becoming a great open field for international commerce, and nations which are in the most acute stages of commercial rivalry must learn to live together in amity and good will as the United States and England are now living, although both are competitors in many of the same branches of trade. A good understanding between Germany and England and Germany and France would establish the peace of the world on a secure foundation. France's interest now centers in the election of a successor to President Loubet, whose term will expire on the eighteenth day of the present month, and who has positively refused re-election. His successor will be chosen at a joint session of the Senate and the Chamber of Deputies to be held at Versailles. Four candidates are being urged by different groups: M. Doumer, who is one of the most influential Deputies and who gained wide reputation as Governor-General of Tonquin; M. Fallières, the President of the Senate, who has behind him apparently the dominating forces in the Chamber of Deputies; M. Rouvier, who is not likely to receive a large vote on the first ballot, but who would be an extremely promising candidate, with ex-Premiers Brisson and Bourgeois in the background, supported by Radical and Socialistic votes. A change in the Presidency will not involve any change in the general conduct of affairs in France, though the good sense and moderate temper of President Loubet have undoubtedly been important factors in the history of the country during the past seven years. More important, so far as any change of policy is concerned, will be the general election for members of the Chamber of Deputies to be held in the spring, when the verdict of the people on the abolition of the Concordat will be pronounced. The modified law, which provides that existing bishops and priests of the Church shall continue in the pay of the State, has taken the sting out of a measure which might otherwise have produced a sharp reaction. It is the conviction, however, of well-informed observers that the legislation which has dissolved a century-old partnership between Church and State has the support of a great majority of the French people.

There are possibilities of danger in the situation of affairs in Europe, but nothing to justify the alarmists who are always quick to predict a war involving all the Great Powers; every nation in Europe needs peace, knows that it needs peace, dreads the appalling expense of war, and shrinks from the radical internal changes which might follow even a successful war.

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The Doom of Political Autocracy

There comes an hour in the movement of events when causes which have long been unobtrusively and sometimes without observation undermining decayed systems suddenly bring those systems down with a crash. Every bad system contains in itself the seeds of a reaction which it sooner or later sets in motion; tyranny in all forms breeds rebellion against itself, and though the

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day of fate is sometimes long postponed, it inevitably arrives. It has arrived in Russia for a blind and stupid autocracy, deaf to innumerable voices of warning spoken for years past, and to signs of the times which all the races of the world have read; and it has come in America to the blinded and stupid bosses of political machines whom the gods have made mad in order that they may be destroyed. When a political boss is in possession of a State, a county, or a district, his power seems unshakable to the superficial observer, and the boss comes to hold the opinion that it is unshakable. As a matter of fact, any tide of public indignation may sweep away the foundations of his authority in a single day. This has happened again and again in the history of the country; for a party machine created by a boss is always and everywhere, under free governments, an artificial and temporary thing put up over night like a scaffolding for a procession, and taken down in an hour when it has served its time. There have been times in the last twenty years when it has seemed as if any rebellion against the boss in any State were practically hopeless, as it has seemed in Russia, from the time of Tourguéneff to the beginning of the present movement for liberation, that the autocracy could not be destroyed.

The strength of the boss in this country has been the negligence, indifference, and criminal neglect of the voting population. When the voters were aroused the boss has gone. This is what has happened in many parts of the United States to-day, much as revolts are breaking out in many parts of Russia. These outbreaks may be quelled for the moment by a show of arms, but they are the forerunners of a revolution which will be like an avalanche. The day of boss rule and machine politics in America is rapidly drawing to a close. It has been the most dishonorable and uninteresting episode in our political history, to be explained, doubtless; by the historians of the future as an abdication of political functions brought about by too great absorption with personal interests. Individual opportunity in this country during the past quarter of a century has been so alluring and so unprecedented in the magnitude of the material prizes which it has offered that men have forgotten their duty to the State, and, because of what Mr. Kidd once characterized in the columns of The Outlook as "lack of civic self-sacrifice," the government of a good many States has gone into commission and has been carried on under irresponsible rulers.

The boss and machine systems are doomed, for three reasons:

They involve the denial of the right of self-government, the abandonment of political responsibilities, the surrender of public liberties. In half a dozen States, conspicuously in New York, Pennsylvania, Delaware, and Missouri, there has been no truly free government for many years past. New York has been ruled by a Hill, a Platt, an Odell, or a Murphy, with as complete indifference to public interests, popular convictions, and the desires of the voters of the State as if these irresponsible rulers held their places by divine right or by military authority. The people of New York have allowed their policies to be determined by a group of men who were sometimes not even in public life, held no official positions, were paid no salaries, clothed by no authority, elected by no exercise of the suffrage. Measures of the highest importance have been decided upon in secret conclave, pushed through the Legislature practically without discussion, under instructions to legislators who have been mere puppets responding to the strings that were pulled from behind. The business of the State has been transacted out of sight, on the back stairs, in whispering-galleries; and the people of the State have been led like sheep, and like sheep they have paid the penalty. Greater enemies this country has never had than men like Platt, Odell, Addicks, and Quay, who have transformed free governments into autocracies, annulled the fundamental charters of the country, and made popular government an object of satire, if not of derision, throughout the world.

The boss and machine system in politics is inevitably corrupt. Affairs

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of state involving vast interests, dealing often directly with great investments and business opportunities, cannot be managed honestly unless they are managed in the open, where every one can see what is done, and unless they are settled by public discussion in which every voice can be heard and the public can understand what motives are prevailing. The impressive vote given to Mr. Bryan nine years ago, like that given in New York City to Mr. Hearst two months ago, was not a vote indorsing the principles of the candidate; it was a protest against ring politics and the corruption that inevitably attends them. The will of the people in different States has been thwarted for years, and the men who have organized the machinery which has annulled popular government have had corrupt dealings with organized capital and brought about an unholy combination of business and politics which has left the interests of the people of the country out of account. The perception of this fundamental treason against free institutions and popular rights is becoming more and more clear, and there have been increasing evidences of an impending revolution. When Senator Platt testified before the investigating committee in New York City a few weeks ago that he had been in the habit of receiving $10,000 a year from the New York Life Insurance Company, he did not seem to be aware of the moral significance of that admission, for a curious blindness has fallen on the political bosses, as it has fallen on many life insurance officials. They have been overtaken by an avalanche without suspecting that they were in any danger, and many of them are still of the opinion that the wreck of their reputations is the result of a passing fury which will soon vent itself. These gentlemen are mistaken. Some of them may survive and reconstruct and direct their shattered machines for a little while longer, but their era and the era of their kind of politics is fast drawing to a close. They are just as much violators of trusts, and have shown as complete an indifference to the interests committed to their hands, as the life insurance officials who have been driven by public indignation from their places. Every public man holds his place as a trustee on behalf of the people, and these bosses have treated their places, their authority, and their opportunities as if they were private property.

The boss and the machine have taken the very life out of our politics for twenty years. In that time everything that has been vital and interesting has been associated with the men who have fought against them; the real interest in American politics in that time has centered in men like ex-President Cleveland and Theodore Roosevelt, who have stood for the free movement of ideas in public life and for the administration of public office as a public trust and for the square deal. In a State in which it is impossible for a young man to go to the front in public affairs unless he bows the knee to a boss there cannot be any real public life, for no man of integrity and ability will accept that kind of servitude. The bosses have substituted for the personal element, for the brains and daring of the statesman, the monotonous grinding of the machine. That our politics has had any interest during the last twenty years has been due to the fact that there have been great questions which the bosses could not postpone, and men whom they could not down.

The American people are now demanding three very simple things, and they will secure them: Free government—that is to say, the management of public affairs by the people; honest government—that is to say, the settlement of public questions and the carrying on of the public business in the interests of the people; an open field and a square deal—that is to say, the opportunity for all men to go to the front in public affairs without bowing the knee to bosses or compromising with machines. In a democracy there must be leaders, parties, and party organizations. But a party organization is not a machine, nor is a leader a boss. We are not looking for perfection; we are asking for a chance to breathe freely as a Nation, to get men in public life who will have some of the instincts of the statesman, and to be able to hold our heads up as Americans when we face the rest of the world.

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PRESIDENT JOHNSON AND NEGRO SUFFRAGE

BY JAMES SCHOULER

Author of "A History of the United States under the Constitution," etc., etc.

HISTORIANS of the reconstruction period should make careful study of the voluminous manuscripts and papers left by President Andrew Johnson, which have lately been added to the collections of the Library of Congress, and throw a flood of light over the course of his forceful but unfortunate administration.

Except for a few important drafts or copies of his own letters, newspaper reports of his various speeches with verbal changes or corrections which he made in his own hand, and a few notable briefs or memoranda in connection with the impeachment trial, we find little here from the President himself. Johnson's private letter-books have been otherwise disposed of, and the collection now owned by the Nation consists mainly of the letters, pamphlets, and documents which came to him from all parts of the land, private and unofficial, seeking to influence his Presidential policy and expressive of sympathy or dissent regarding the momentous measures and aims of his administration. Here opinions of the people and of our leading men may be found freely expressed towards their Chief Magistrate. Resolutions of various public bodies are exhibited, from State legislatures and social or religious conventions down to ward political clubs, some of them handsomely engrossed on parchment or costly paper and adorned with ribbons. Besides important letters from public men we find pamphlets, prospectuses, newspaper cuttings, and the effusions of amateur poets and philosophers.

All such correspondence, however miscellaneous, indicates clearly the cross-currents of opinion which reached the White House daily, and it faithfully duplicates that other pressure of oral interview and conversation, contemporaneous in character and diversity of belief, to which every ruler of our Republic must cheerfully yield his personal attention. The indications are many that President Johnson carefully considered the weightier matters of advice here tendered him, while it is certain that he submitted all to the test of his own independent judgment and did not follow the lead of any one. Whether in framing the great measures of National policy or in making National appointments, deliberation and an honest though sometimes mistaken purpose to do right are manifest on his part.

For the first few months following the terrible tragedy of April, 1865, which placed him at the head of affairs for closing hostilities, instituting schemes of reconstruction, and restoring peace to the whole country, President Johnson, aided by the Cabinet advisers who had served under Lincoln, proceeded with discretion and success, gaining strong popular support at the North. The South was powerfully impressed by the magnanimity of his policy extended towards its people, and many of the late leaders sought sincerely to aid his efforts for a permanent reconciliation. But the crucial and fundamental difficulty was to determine and fix positively the status of the Southern negroes, newly freed and needing hostages from the Nation or their former masters for a new career. Upon this point Southern people of the white and ruling race had nothing to offer. And it was ominous that three and one-half millions of people, lately enslaved, had in that whole region of the late Confederacy no initiative of their own to take, nor even competent brethren of their race in the North to make plea or demand for their civil and political rights. Their only powerful friends were humanitarians who dwelt in free States far distant, or new white immigrants equally remote in local favor, too

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many of whom hoped to manipulate an ignorant vote eventually for their own selfish and corrupt advancement. The Southern situation, as the senior Blair described it in one of his letters to the President, was that of a black nation inside of a white one.

This whole stupendous problem our white brethren who now came back to the National fold, laying down their arms and meaning to accept the actual results of the Civil War—which included the bona-fide extinction of slavery as an institution—had hoped to regulate after their own methods. Legislatures of the reconstructed States were not slow in taking up such matters of a new era as equal negro trials, equal negro testimony, the legitimatizing of slave marriages and slave offspring, and even to some extent the subject of equal civil rights. But to enfranchising, at once or presently, the colored inhabitants lately held in bondage, and admitting locally the principle of equal suffrage, regardless of race or color, white Southerners were to a man opposed, nor could the ablest arguments nor the most persuasive influence from Northern fellow-citizens convince them to the contrary.

President Johnson's personal views on this latter question, as well as the position which he desired to take as Chief Executive of the whole Nation, deserve the reader's attention. Those views he announced carefully and deliberately, under circumstances entitling them to the fullest credence, and while in the immediate exercise of his lawful powers as Chief Executive during the interval of Congress. It appears that in Massachusetts at this time, while all Republicans upheld negro civil rights and felt inclined to give an equal ballot to those emancipated, there was difference of opinion on other points. The dominant wing, under Senators Sumner and Wilson, were for imposing harsh conditions upon the vanquished foe; while a large and respectable portion inclined rather to the views of Governor Andrew, who favored a liberal amnesty and urged that State reconstruction be left to the South's natural leaders. The latter set tried to persuade President Johnson to attend Harvard's Commencement in the summer of 1865. This effort failing, an address, drawn up by Professor Parsons, of the Harvard Law School, and signed by some 250 solid and influential citizens of Boston and vicinity, was sent to the White House. It applauded the President's general purpose, but claimed: (1) That all constitutions drawn up by those States lately in rebellion must be submitted to Congress when it met; (2) that equal negro suffrage seemed just in itself, while it certainly would be unjust to the Union to give two-fifths representation otherwise to the master race, over the three-fifths which the Constitution had conceded before slavery was abolished. Mr. George L. Stearns, a Massachusetts man of high personal standing, who seems to have had some earlier acquaintance with the President, visited Washington and the White House about October first, as the spokesman of these petitioners. He was most kindly received. President Johnson gave him a long and frank interview, and he made so favorable an impression by what he said that Mr. Stearns, upon his return home, reduced the substance of their conversation to writing, had it printed privately, and sent a proof-sheet to the President for the latter's revision, expressing his confident belief that the circulation of so authentic a statement of the President's views would do good in Massachusetts. Johnson willingly complied, and, with some verbal corrections, certified to the proof-sheet as substantially correct.[1]

"The States," said the President in the course of this reported interview, "are in the Union, which is one and indivisible. We must not be in too great a hurry with our reforms; it is better to let our Southern brethren reconstruct themselves in their several States than force them." He wished to give the South time to understand its new position, with slavery abolished. As to our political adversaries, "the old Democratic party finds its old position untenable and has come to us;" we ought not to consider ourselves worse off by that.

[1] Mr. Stearns's later correspondence shows that the friends he represented still adhered to negro suffrage; but President Johnson carefully preserved the correspondence and his own printed slip, as establishing his own views on that subject.

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"Our United States government is a grand and lofty structure, which rests on the broad basis of popular rights. The elective franchise is not a natural right, but a political one. I am not disposed on that point to interfere with the people of a State; if the people there go wrong, we have the army, and can control by legislation too. But the general government has no right to control the right of voting in the States. My position here is different from what it would be were I in Tennessee. There I would try to introduce negro suffrage gradually: (1) to those who had served in the army; (2) to those who could read and write; and perhaps (3), with a qualification, to others—say, $200 or $250. It will not do to let the negroes have universal suffrage now; it would breed a war of races." He further stated his disposition to have the apportionment basis for Representatives in Congress changed from that of population to that of qualified voters, North as well as South. If that were done, the States, in due course of time, without regard to color, might agree to extend the elective franchise to all who possessed certain mental, moral, or such other qualifications as might be determined by an enlightened public judgment.[1]

These were wise and honest words, whether comprehensive of the whole immediate issue or not. And it should be said that Andrew Johnson, in spite of all defects of temperament or character, was, among public men of his own section in that day, justly remarkable.

President Johnson received various letters from Southern statesmen in those months, expressed on the same point with frank but deferential counsel. Thus, Memminger, of South Carolina, lately Secretary of the Treasury under the Confederate Government, took the liberty of writing, September 4, "though under the ban," at considerable length. "The whole Southern country," was the purport of his letter, "accepts emancipation from slavery as the condition of the colored race, but neither the North nor the South has yet defined what is included in that emancipation. The boundaries are wide apart which mark political equality with the whites, on the one hand, and a simple recognition of personal liberty on the other." And he proceeded to argue, temperately, that there could not properly yet be negro suffrage, since the necessity was paramount of "training the inferior race." And this training, as well as the discipline and government, he submitted, belonged properly to each State.

But, regardless of practical methods for compelling Southern obedience short of military violence pushed to an extreme—for the task must be stupendous where external conviction seeks to mold local institutions elsewhere to suit itself—a tide of sentiment which mingled natural rights, in sense, with those political, gained at the North great headway. "The ballot itself will be a protection to those who exercise it, a means of education;" "they who handle a musket can surely handle a ticket;" "the negro vote of the South will be cast for loyalty to the Union and to the party which preserved the Union, and hence serve as a lasting national safeguard;"—such was the tenor of abstract argument to which Northern sentiment yielded. "The great doctrine of equal rights will prevail," wrote Medill, of the Chicago "Tribune," to President Johnson in September, 1865, warning him not to Tylerize his party nor go back on those who had elected him. "The civil war has emancipated the North from their vassalage to the Southern oligarchy, as well as the bodies of their slaves." All such communications received at the White House were carefully filed and considered. One piece of advice, September 20, though from a personal stranger, unknown to fame, contained a passage so impressive that it was marked, probably by Johnson himself, with a pencil: "Your motives are good, but do not let the experiment go too far, so that in case of need we cannot retrace our steps."

Foremost among those in exalted station who cherished the ideal of a political reconstruction at the South upon the broad basis of equality of races, regardless of complexion or former social condition, was Chief Justice Chase. So eager was he to be in his own person the great arbiter of the two sections,

[1] Stearns's printed proof: Johnson MSS.

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under such a policy, that even, as it would seem, while President Lincoln was alive, he impressed upon the destined successor his own ideas of "universal suffrage and quick reorganization." Early in May, while Johnson was deliberating upon a policy, he drafted in his own hand and sent to him an address with an earnest letter entreating the new President to copy, sign, and promulgate such a manifesto to the Southern people. This document was vigorous in expression and had even the glow of eloquence. It took ground that the Southern States sustain their just relation as such, notwithstanding an impotent secession. It called upon all loyal citizens throughout the late insurrectionary region to restore harmonious relations with the Union as speedily as possible; but to add the negro race, which had done so well and deserved so much at their hands, in their enrollment. They who had disorganized by rebellion had disqualified themselves for the work of restoration; and all reorganization should be by enrollment. A State convention should be summoned in each jurisdiction for a new constitution or constitutional amendment, expressive of new National conditions; there should be no more slavery, no subjugation. In his accompanying letter Chase besought the President to issue such an address as this and to lead on in the grand work. "Say to the people of the South, 'Organize your State governments and I will aid you in the work.'" Such an appeal, he felt confident, would quickly bring reconstruction throughout the South and Union gatherings in full response. As Chief Justice Chase was about to make a tour through the South, with this great purpose in view, visiting Wilmington, Charleston, and other points as far as Florida, he would be glad to hear from the President while absent. This journey he made, in fact, receiving various banquets and ovations on the way. In letters to the White House while on his route he described at length the state of Southern feeling as he marked it on his progress; but the Executive adoption failed him, and this correspondence subsided.

Charles Sumner, in a letter from Boston dated June 30, 1865, transmitted to the President the petition of three hundred "colored citizens of Georgia" (as he styled them), who prayed to be allowed to exercise the right of suffrage in the reconstruction of that State. And in aid of their petition, which he forwarded at their request, he made warm appeal to the Executive that they should not be shut out from exercising the right. Of this petition (still preserved among the President's papers), which consisted of various detached sheets, whose caption bore the imprint of the Savannah "Republican," it is noticeable that no signature was made by mark, and that while the handwriting of many of these petitioners bore obviously their own names rudely formed, the signatures of many others were in one trained hand, which either copied them out or wrote originally as by proxy. No other petition purporting to come from Southern negroes appears to have reached the President.

Sumner himself, and all others who sought to influence President Johnson's policy, admitted the latter's Constitutional discretion during the seven months and more which should precede the assembling and organizing of a new Congress. No one seems even to have suggested that the accidental Chief Magistrate should practice self-abnegation by calling an extra session in advance of the session regularly designated for December. Thaddeus Stevens, alone of correspondents, is seen advising the new President (and that in no respectful or conciliating tone) to waive his rightful initiative in reconstruction and wait until Congress should in course convene. From Pennsylvania he frankly expressed, by the middle of May, his personal disbelief in this Executive remodeling of States, and thought it better that the President should wait for Congress and leave reconstruction to that body. And, with more acrimony and peremptoriness, he warned President Johnson, July 6, that the restoration policy which the latter had now entered upon would "destroy the party and injure the country;" and again did he advise that the whole policy be left to Congress and until it convened, the Executive meanwhile

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ruling the South by military officers. "No one of the Northern leaders," he wrote, "approves of your policy."

But the inevitable dissension between Northern party supporters of the Administration had been forecast while Lincoln was yet alive, and Johnson's stand and influence were for a conservative treatment and moderate terms of reunion. As though to trust him generously in the new emergency, ex-Vice-President Hamlin, Governor Morton, of Indiana, Generals Dix and Thomas, Elihu B. Washburn and Lyman Trumbull, of Illinois, Reverdy Johnson, of Maryland, Governor Curtin and Senator Cameron, of Pennsylvania, and Gratz Brown, of Missouri, were all prompt in assuring President Johnson of their sympathy and support. Zealously constant were Senators Dixon and Doolittle. Francis Lieber, the publicist, sent a pamphlet with friendly words of encouragement; while George Bancroft, now in scholarly retreat at New York, gave his approving counsel in various letters preserved with the rest.

GEORGIA AND THE CHAIN-GANG

BY GEORGE HERBERT CLARKE

SHORTLY before midnight of Saturday, March 12, 1904, one Henry Jamison, a negro resident of the city of Macon, Georgia, was arrested on the streets while drunk and disorderly, and arraigned on that charge at the Monday session of the Recorder's Court. The additional charge was lodged against him of disorderly conduct in the city barracks. After a hearing he was sentenced, in the one case, to pay a fine of twenty-five dollars or be committed to the county chain-gang for ninety days, and in the other to pay a fine of thirty-five dollars or to work on the chain-gang for one hundred and twenty days. Jamison accepted the latter alternative in each instance, and was taken out to the gang before noon of Monday. On the 17th day of the same month he petitioned the United States Court of the Southern District of Georgia for the issuance of a writ of habeas corpus, which was duly granted. A lengthy hearing before the United States Judge, the Hon. Emory Speer, resulted in the discharge of Jamison, on the ground that he had been deprived of his liberty and subjected to infamous punishment, without due process of law, contrary to the Fourteenth Amendment to the Constitution of the United States, which declares that "no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws." The city of Macon, through its attorney, the Hon. Minter Wimberly, appealed this decision to the Supreme Court of the United States, which denied Judge Speer's jurisdiction in the following mandate, handed down October 16: "*Per curiam.* Final order reversed. Cause remanded with a direction to quash the writ and dismiss the petition." The Court's action was based on the contention that Jamison's means of redress lay, in the first instance, in the State courts, not the Federal.[1] Upon the official receipt of the mandate, therefore, by the United States District Court,

[1] The case has moved with some rapidity since the writing of this article. Jamison was rearrested November 25, before Judge Speer had made the mandate the direction of his own court. As a result, City Attorney Wimberly, Chief of Police Connor, and Superintendent Wimbish were cited to appear before the United States Court January 2, to show cause why they should not be punished for contempt of court. On November 28 Judge W. H. Felton, of the Bibb County Superior Court, declined to discharge Jamison from custody on a writ of habeas corpus. An appeal was immediately taken to the Supreme Court of the State, and meantime, on December 2, Judge Speer granted an order temporarily releasing Jamison from the chain-gang on a new writ of habeas corpus, holding (1) that his means of obtaining reasonably early redress in the State courts were now exhausted, and (2) that his rearrest had been illegal. The Supreme Court of Georgia, on December 19, declined to hear Jamison's case argued until after his return to the gang, and finally, after two days' hearing, reserved its decision.

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Jamison must shortly be returned to the chain-gang.

It is plain that this is not a merely individual case, nor even a State or sectional one, but a National issue of real importance, the crucial questions being these: Is "due process of law" an elastic phrase, construable in widely varying and mutually inconsistent ways by differing States, or is it to be interpreted as requiring a reasonable uniformity? If the latter, shall any court, in any State, be permitted to sentence a petty offender, without indictment or trial by jury, to "infamous punishment"—that is, one commensurate only with crime, not with misdemeanor? And if it persists in doing so, shall not the writ of habeas corpus invariably apply?

Jamison's counsel, Messrs. Akerman and Akerman, have thrown these questions once again into the scales of justice by suing out a writ of habeas corpus before Judge W. H. Felton, of the Superior Court of Bibb County, in the case of another negro, Rufus Pierson, who was tried summarily in the Recorder's Court on October 28 of last year for drunkenness and disorderly conduct, and sentenced to six months on the chain-gang without the option of a fine. On November 3 the case was argued at length before Judge Felton, who remanded the negro to the custody of Mr. E. A. Wimbish, superintendent of the chain-gang. Pierson's counsel have thereupon appealed on a writ of error to the Supreme Court of the State of Georgia,[1] and will, if necessary, so I am informed, carry the case to the Federal Supreme Court, that a final decision may be reached on the merits of the question involved.

For several years past public attention has been repeatedly directed to the penal system of the State of Georgia, and of late months the cases cited above have made this interest acute. Penology is a various question, in point of both motive and method, and this paper cannot assume to handle the question in itself. Punitive law may be a panacea, or a desirable habit of action, or an unescapable responsibility that all regret.

[1] Pierson's case was heard before the Supreme Court of Georgia December 18, the decision being reserved.

"Look here, sir," says Mrs. Deland's Doctor Lavendar, "this business of the law is all very well, and necessary, I suppose, in its way, but let me tell you it's a dangerous business. You see so much of the sin of human nature that you get to thinking that human nature has got to sin. You are mistaken, sir; it has got to be decent. We are the children of God, sir." Strongly stated though this truth may be, and surely as it wins our response, yet no thoughtful citizen fails to recognize the dignity and power of the idea of law and the unreason of many old and current protests. While one does not care, for example, to contradict Bernard Shaw's epigram that "imprisonment is as irrevocable as death," yet it may be pointed out that the physical conquest of death is perhaps no more conceivable than the abolition of crime. And while it may be true that "the most anxious man in a prison is the governor," it is not less true that anxiety resting upon a sense of accountability is worth much more to society than defiance, bravado, or conscienceless indifference.

Whatever hopes may now be cherished of changes and modifications in prison management, it is plain that there has been since the days of John Howard and Elizabeth Fry—not further to extend the roll of honor—a steady improvement in the humaneness of the treatment accorded the captives of society. This is true in some measure of all countries vitally alive; it is true as affecting lunatic asylums and poorhouses, industrial homes and common jails, prisons and penitentiaries. The modern mind has been peculiarly alert to the countless words that have been written and uttered on this subject. Precisely for the reason, then, that the system long and still obtaining in the State of Georgia seems to the foreign observer in many respects an extraordinary anomaly, it has been the writer's purpose to inform himself at first hand of the facts, the results, and the probabilities.

Chain-gangs existed in Georgia for a long time prior to the passage of the Act of 1897 creating a State Prison Commission, and amended August 17, 1903; but this Act permits the hiring

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out by the Commission to the several counties of the State of felony convicts for a period of five years, beginning April 1, 1904. Individuals, firms, and corporations are also permitted to enter bids for such convict labor, the minimum price considered being $175 per annum for each convict. The prisoners bid on must be "short-term" men and women, *i. e.*, those sentenced for not more than five years, and before allotment are formed into gangs or squads of not fewer than twenty-five nor more than fifty. The highest and "best" bid wins, and the law permits the same county or other bidder to secure the services of more than one squad. The non-bidding counties participate *pro rata* in the revenue accruing from such leasings, and these moneys are devoted to the maintenance of schools or public roads. The successful bidders are required to provide the convicts with transportation, food, medicine, clothing, and shelter, the State furnishing guards and physicians.

By felony convicts the Georgia law means those who have been sentenced to a term in the penitentiary or to capital punishment. All other prisoners are known as misdemeanor convicts. Some counties are accustomed to work their misdemeanor convicts on the public roads in gangs more or less closely associated with the felony convicts, subject, however, to the supervision of the State Prison Commission.. Not all of the 145 counties avail themselves of the opportunity the Act affords them of purchasing convict labor from the State, but twenty-nine do so, the chief being Fulton, Richmond, Floyd, Burke, and Bibb.

This last-named county, Bibb, is so clearly representative of the system that a brief but detailed study may profitably be made of the conditions it presents. Its chain-gang contains at the present writing a total of 123 convicts, divided as follows:

	Felony Convicts Leased from the State.	Misdemeanor Convicts.
White	2	6
Black.....	44	71
Total.....	46	77

The misdemeanor convicts are sentenced by the Superior Court, the City Court, or the Recorder's Court of the city of Macon, the county seat. All three are "State courts." The first has power to try all civil and criminal cases within the jurisdiction of the county. The second has concurrent authority, save that it cannot hear felony cases, those involving titles to realty, divorce cases, cases of equitable relief, appeals from a justice court or an ordinary, or cases carried from the Recorder on a writ of *certiorari*. The third, or Recorder's Court, was constituted by the State Legislature in a charter granted the city of Macon in 1893, and has power "to try offenses against the laws and ordinances of the municipal government, and to punish for the violation of the same." The Recorder is given power to impose fines not to exceed five hundred dollars, and "to imprison offenders in the city barracks for the space of not more than sixty days or at labor on the public works in the county chain-gang for not more than six months."

The writer has attended sessions of all the courts named, and has observed—as any spectator must at once observe—that the great majority of petty and criminal cases tried are those of negroes, and that of these the majority, again, consist of offenses committed by negro against negro. Whether the dockets are swelled through personal spite, a desire for excitement, or a genuine love of justice, is, unfortunately, a question too easily answered by one familiar with the negro temperament. Certainly there is always to be found in a court-room during the progress of a trial a horde of negroes, many as witnesses, more as obviously entertained spectators. In the Recorder's Court on Monday, November 20, I listened to the calling of fourteen cases, but two of which involved a white man either as offender or witness, apart from the arresting officers. Of these latter several were required to appear before the Grand Jury, then in session, so that a few cases were continued. Only one man was sentenced to the chain-gang, receiving two months for drunkenness and disorderly conduct. This court tries some five thousand cases annually. Usually about thirty or thirty-five cases are tried on Monday

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mornings, and of this number not more than five or six result in sentences to the chain-gang. The Recorder—Judge Custis Nottingham—informs me that such sentences are very rarely imposed for a first offense, and are scarcely ever incurred, save by incorrigible characters. It is interesting to notice, in passing, that even the poorest negroes show extraordinary ability to pay their fines, owing to the aid of loan-sharks and "societies," and that escape from actual service on the chain-gang is therefore easy, though the means be hard.

When a new recruit for the gang arrives, he is provided with two striped cotton suits in summer, woolen ones in winter, and such other clothing as may be necessary; iron manacles are riveted about his ankles and connected with chains two and a half feet long. These manacles are not removed or removable save by the use of the anvil and cold chisel. The convict is then given a pick or shovel, and required to work on the public roads, in company with his fellows, every week-day from sunrise to sundown, the noon rest varying from one to two hours with the season. Guards stand by armed with rifles and shot-guns, to deter and if necessary to wound or kill escaping convicts; and at closer quarters walks the whipping boss, whose badge of office is a broad, thick strap over three feet long and tapering toward the end. This strap is not seldom employed several times daily, sometimes again not once in a month—on the average, according to the statement made me by Captain Oxley, the whipping boss, about six times a month. It is used on idlers and malingerers, and creates a sharp, burning sensation, though I am unable to learn of any instance in which it has wrought physical harm by drawing blood or depriving the punished person of consciousness. The law requires that not more than fifteen lashes shall be administered on any one occasion. As a rule, fewer are given.

Though the felony convicts and the persons sentenced by the Recorder wear the same stripes and are cumbered with the same shackles, they have not of late been worked indiscriminately in one gang, but are at present—in Bibb County at least—kept distinct and separate, one group seldom seeing the other. This is true even of the sleeping arrangements; the camps are a considerable distance apart, though the accommodations do not differ. These include a rough bunk, with straw mattress and blankets. Neither clothes nor fetters are removed upon retiring, while, to make assurance doubly sure, a long chain is attached to each sleeper in turn, and fastened to opposite sides of the stockade. The women's quarters are somewhat more luxurious; they wear no fetters, and their control is less rigid. Their duties consist chiefly in the domestic occupations of cooking, washing, sewing, etc., and they are not usually permitted to leave the camp. The use of the pick, however, is not entirely unknown to them.

Whipping in the comparative seclusion of the camp appears to be a more serious affair than on the highway. In the latter case, save in peculiarly refractory instances, no preparations are made and the punishment is soon over; but "at home" the convict is sometimes obliged to prostrate himself across an inclined support and receive several blows upon his bare flesh. If he refuses or resists, he is held in position by one or two of his mates. I am assured by guards and others that these whippings, though deliberate and at times somewhat prolonged, are in no wise harmful. Perhaps not; but while it is nowhere asserted that such punishments are inflicted for other than regulative, disciplinary purposes, it may be observed that even for *crime* the Constitution of Georgia forbids the use of whipping as a means of punishment.

Of the social life of the convicts—that is, of the negroes, who outnumber the white prisoners by about fifteen to one—a word may well be spoken. I have talked with black-skinned men both on and off the chain-gang, and find it their general opinion that the life is not unhappy. I have often passed the gang on the public roads, hearing their drawling songs break out and seeing their picks descend in unison, with something of the same musical jerkiness of the grave-digger's performance in "Hamlet."

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There is ample opportunity for talking and laughing together, at meals and after working hours, and even for smoking and card-playing. Those convicts who use tobacco are liberally supplied with it, and all are furnished an abundance of plain, wholesome food, such as corn bread, wheat bread, meat, vegetables, molasses, coffee, etc. To watch a hillside dotted with these incongruous figures during the dinner hour is to become more and more aware of their light-heartedness, their healthy poise, their almost total insensibility to shame or degradation, their childish recklessness of speech, their *camaraderie*, and, in some cases, their genuine attachment to their guards. I have seen discontented-looking free negroes on railway lines, on plantations, and in the kaolin mines, working no less hard but with apparently much less zest than their brothers on the chain-gang. Cases, indeed, are not rare of deliberately planned returns to the gang, after the novelty of liberty has worn away and its responsibilities have begun to pall. Whether the existence of this complacent frame of mind is not a graver menace to both white and black than extremely harsh and severe treatment could possibly become is a question I sometimes ask myself. Certainly the average negro's mind is not yet to him a kingdom, nor is it likely soon to become so. In the evasion of responsibility he is a past-master. Relieved of all doubt concerning his maintenance as a convict; assured that he will find and make many friends on the gang, and that upon the expiration of his sentence, which may be shortened by good behavior, he will be sent home newly clothed, and welcomed by his kith and kin as a hero back from the wars, if but on furlough; and even childishly proud of his public conspicuousness and of the very interesting episodes that he may see and share in as a member of this perpetual road-mending club; he learns to look upon the chain-gang with something of institutional loyalty, and to preserve inviolate its unwritten traditions. It is not so with the whites, who prefer and are permitted to work, eat, and sleep apart, and whose faces as a rule look conscious and sorrowful enough.

But why—the reader is asking—why cannot Georgia get along with a system less anachronistic and indefensible? Are stripes good for petty offenders? Are shackles necessary? Are armed guards desirable? Are these vigorous whippings in harmony with the modern spirit? We don't flog men nowadays in our penitentiaries or on board our warships. We don't know that quick recourse to the rough-and-tumble argument is a sure sign of gentlemanhood. We dislike any exhibition whatever of physical violence for violence' sake, and particularly when we see that the relation is one, not of equal antagonists, but of painer and pained. We may tolerate and even defend the infliction of death as the penalty with which the law must visit some crimes, but even then we desire and urge that the death be quick and certain. Whipping does not seem to us a sure deterrent; it can hardly be called a manly art, nor a rational method; it is in its essence akin to the bite of the brute. Must men "reel back into the beast"? How many of your captives are, in any respect, improved or reclaimed? Why are they taught neither profitable trades nor individual self-respect? And why, too, must they be forced not only to wear the uniform of shame and to knit their brows under the stinging blow, but also to work day after day in the open, before the public gaze—a gaze indifferent, curious, or even contemptuous or hostile? There is, it would seem, something "Siberian" about this whole business.

The Georgians, like most Southerners, are kindly, hospitable, generous people, Anglo-Saxons of the old stock, conservative of their traditions, loyal in social and business relations, lovers of fair play, honorable men and women. Personally, after several years' association with them, I have come to regard their character as almost passionately idealistic. But it is doing them no discredit to say that they, again like most Southerners, have a "blind spot" that often prevents clear vision of the negro and the negro problem. For this whole matter is, as many of their best citizens freely admit, a by-product, a side issue of that eternal question, and the chain-

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gang may fairly be described as Georgia's answer to the question's criminal side. I do not wish to be understood as positing more intelligence and sympathy in this regard of other sections, or, for that matter, of other countries. None of us has perfect sight, and perhaps no other people try so hard as do our Southern friends to see well and so to act well. But it is a very delicate and difficult thing for men and women with the traditions of slavery in their family heritage, and with the necessity forced upon them of practical contact with these black millions every day of their lives—the children with their nurses, the employers with their laborers, the mistresses with their cooks and butlers, the merchants with their customers, patrons with dependents, *never*, in the fine meaning, friends with friends—it is a very delicate and difficult thing for these white masters of the situation to understand and compassionate the peasantry—nay, the serfs—that dwell about them through a lifetime. Now, the average Southerner of station does not admit or believe this. He feels that his good-natured generosity and even at times his easy familiarity towards a tried negro retainer is proof sufficient of his understanding and sympathy. But is it? To me one of the most appalling considerations of this entire situation is, not the unwillingness, but the sheer inability, of whites and blacks to understand each other. "Between us and you there is a great gulf fixed, that they that would pass from hence to you may not be able, and that none may cross over from thence to us."

Rightly enough, the South feels that the negro population is virtually supported by the whites, and that, entirely apart from the question of color, the black man shows many racial characteristics that require to be met with firmness, directness, and even severity. In an economic sense, the negro and the South may be likened to the old man of the sea fixed unshakably upon Sindbad's back—with this difference, that the modern Sindbad is not seeking very hard to rid himself of his burden. It is true that John Temple Graves, a well-known Southern publicist, has lately advocated deportation, but the idea receives no serious consideration, first, because it is generally deemed impossible; second, because the South is growing stronger and richer, in part despite of, in part by virtue of, her very burden. If he is a parasite, yet he may be made to serve a useful purpose. His labor is cheap, and, in the cotton-fields at least, peculiarly unreplaceable. It is, in a sense, true that the South does not want the negro, but it is also true that she does want and is determined to keep him. She wants his labor but not his vote, his presence but not his society. She looks upon him as not merely a black but an *unwhite* man, incompetent to become white in either body or mind, whose place in the evolutionary scheme is many stages behind that of his superiors, and whose status involves and requires, therefore, a constant social discrimination that has come to be almost an obsession by this time upon whites and blacks alike.

Accordingly, the questions our reader has been asking himself and us may be answered by others on the part of the Georgian. Can we afford, in any sense, to maintain a large criminal population—in which negroes preponderate greatly—in the comparative comfort and idleness of prison and penitentiary life? Would not that criminal population increase with alarming rapidity? How are we to handle the vicious negro so as not to punish him merely, but to make him pay us a just indemnity for his crime, to make him feel our strong disapproval of his ways, to frighten him—for we cannot reach him otherwise—out of his evil habits into decency and decorum? To confine him—for he has no real vitality—is to doom him to disease and death. To reform his character is an almost hopeless task. We do not say that we have discovered the ideal method even for our own local situation, but we do declare that the chain-gang system is the best means we have yet been able to devise of using the negro criminal to the economic benefit at least of both himself and society. We do not wish to treat him cruelly, nor do we feel that we are doing so. But the negro is a negro. He is not of us nor tending toward us. We must deal with him as he is.

On the other side of the great gulf

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there are natural remonstrances against this point of view, some violent and reckless, some quieter and more intelligent. A few negroes show sulkiness at what they feel is oppression; many others seem to display a cheerful carelessness. Most of them, however, have a brisk realization of the meaning of the chain-gang. The unrest of all has, of course, been increased by the developments of the past few months. Some show this by fiercely resisting arrest; others by the more rational behavior of inquiry and comment concerning their rights as now called into question.

The decision of the Supreme Court in the Jamison appeal cites several equivalents in matters of jurisdiction. The arguments of both counsel urged upon the Court's attention also a number of cases touching the root question of law presented in this article. Probably the most important of these is that of Joseph Hurtado against the State of California. Hurtado was tried in the State Court, May, 1882, without indictment but simply by information, as authorized by the Constitution of California, for the crime of murder, and was convicted and sentenced to death. Both the State and Federal Supreme Courts sustained the finding and sentence, the highest tribunal holding that "the words 'due process of law' in the Fourteenth Amendment to the Constitution do not necessarily require an indictment by a grand jury in a prosecution by a State for murder," and that "the Fourteenth Amendment does not profess to secure to all persons in the United States the benefit of the same laws and the same remedies. . . . Each State prescribes its own modes of judicial proceedings." "It follows," ran the opinion, "that any legal proceeding, enforced by public authority, whether sanctioned by age and custom or newly devised, in the discretion of the legislative power, in furtherance of the general public good, which regards and preserves these principles of liberty and justice, must be held to be due process of law." Yet, while the foregoing was conceded, the Court declared that "it is not to be supposed that these legislative powers are absolute and despotic, and that the amendment prescribing due process of law is too vague and indefinite to operate as a practical restraint. It is not every act, legislative in form, that is law. Law is something more than mere will exerted as an act of power. It must not be a special rule for a particular person or a particular case, but, in the language of Mr. Webster, in his famous definition, 'it is the general law, the law which hears before it condemns, which proceeds upon inquiry, and renders judgment after trial, so that every citizen shall hold his life, liberty, property, and immunities under the protection of the general rules which govern society.'"

Whatever be the outcome of the long legal struggle—and many thousands of minds are following every phase of that struggle with intense interest—there can be little doubt that not only Georgia and the South, but all parts of the Nation, will be benefited by the airing, and, we must hope, the settling, of a question which in one aspect or another—the present perhaps the most vexed—has troubled the American conscience and judgment for many decades.

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A QUARTER-CENTURY OF CHRISTIAN ENDEAVOR

BY FRANCIS E. CLARK

TO compress within the limits of a magazine article the story of a religious movement that has found its way into every land, that numbers its organizations by tens of thousands and its adherents by millions, and that has gathered about itself many subsidiary movements, is not an easy task; but the approaching twenty-fifth anniversary of the formation of the first Society of Christian Endeavor makes appropriate an attempt to write such a story.

From one standpoint, however, the task is easy, for there are no dusty archives to search, no intricate and doubtful points of origin to settle, and no disputed articles of creed or principle to decide.

The whole life of the movement is contained between the little span of years indicated by the hyphen between the dates February 2, 1881–February 2, 1906, and does not cover half the years of many of us who can scarcely yet believe that we are not young men.

Here are a few facts which make these dates significant:

February 2, 1881.—One society with forty members.

February 2, 1906.—Over sixty-seven thousand societies, with nearly four millions of members.

February 2, 1881.—One nation and one language represented in the Society.

February 2, 1906.—Over fifty nations or large colonial dependencies and eighty languages represented.

February 2, 1881.—The only literature a draft copy of the constitution.

February 2, 1906.—Forty weekly or monthly publications in fifteen different languages exclusively devoted to the Society, weekly or monthly Christian Endeavor departments in several thousand papers and magazines, and abundant other literature in most of the chief languages of the world.

February 2, 1881.—No National, State, or local Christian Endeavor unions.

February 2, 1906.—National unions in the United States, Canada, Australia, Great Britain, France, Spain, Italy, Germany, Sweden, Switzerland, Finland, Bulgaria, Hungary, Bohemia, India, China, Japan, Brazil, Mexico, and South Africa (both for the Dutch and English), and more than three thousand State and local unions, with regular meetings held in almost all parts of the world.

February 2, 1881.—One denomination represented.

February 2, 1906.—One hundred denominations represented.[1]

This summary makes plain, as nothing else could, the timeliness and providential character of the movement.

No genius or combination of geniuses could, in twenty-five years, have introduced such a movement into every land; and, as a matter of fact, geniuses have been conspicuous by their absence from the Society and its work. Very plain and commonplace men and women have, for the most part, managed its local and National affairs.

Its founder was one of the youngest and humblest pastors in the State of Maine, and its charter members were average boys and girls such as can be found in any New England church. The pastor was feeling about, in his youth and inexperience, for some way of training these boys and girls for Christian service, if haply he might find it. He tried many experiments, ran up many blind alleys, knocked at many closed doors; made experiments along literary, musical, and debating society lines; did not despise the seductive ice-cream festival or the succulent oyster as a means of interesting the youth in things religious; but at last made the discovery that nothing but religion really appealed to the religious nature of young people; that a prayer-meeting could be made more interesting than a debating society, and that what young men and women

[1] Whenever, in the above enumeration, the writer has had to deal in round numbers, he has made a most conservative estimate, to keep the numbers given considerably below the actual figures, which in many cases are growing so rapidly that exact accuracy is impossible.

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really desired, though they did not always know it themselves, was to do something for the Church rather than to have the Church do everything for them.

As soon as he discovered for himself this old truth, which doubtless every wise man had discovered before him, he set to work on new lines, made the prayer-meeting, and not the pink tea, the central feature of the Society, and *service*, not *entertainment*, its watchword.

On these lines the first constitution of the new Society was framed. There should be a prayer-meeting every week, and every one should take part in it. There should be work enough for all, and "to every man his work," definitely and distinctly marked out; and every month each committee or section of the Society must report in writing what its members had actually tried to do for the Church in the name of Christ.

Entertainment had its place in the new Society, but it was given a distinctly subordinate and secondary place, and even this the young people were to furnish for themselves, through their social and literary committees, and not lay an additional burden for their amusement on their overloaded pastor and elders.

Immediately a new order of things developed in that church. The young people's prayer-meeting, which, like most throughout the world at that time, was a poor, thin, dead-and-alive affair, carried on by two or three elderly young men who could "speak in meeting," became popular, interesting, often crowded and full of spiritual power; the committees brought in other young people, interested them in the church, improved the singing, beautified the pulpit with flowers, collected and raised money for missions, aroused a new interest in temperance and allied virtues.

A new day had dawned for the young people of that church, and, as it proved, for millions more in all parts of the world; for in eight months more the second Society of Christian Endeavor was formed, and soon after the third, and then they began to multiply faster than they could be recorded, and often in most unexpected places.

The desire for a larger and more fruitful work among young people was felt everywhere. Pastors and people were thinking and talking and praying about this perennial subject—"How shall we attract and hold our young people?" The subject was in solution, as it were, the world over; and the experiment, at Williston Church, of February 2, 1881, simply gave it shape.

There were, doubtless, Christian Endeavor societies before the Christian Endeavor movement—societies with the same purpose and with some of the same methods, called by different names, and answering local needs—but they soon perished, either because they were not universal enough in their scope, or because the times were not ripe.

One of the most interesting of these pre-Christian Endeavor societies was originated by none other than the distinguished Cotton Mather; and the little book in which he tells about it was discovered years after the modern movement had grown strong. Here is its title-page:

Religious Societies.

PROPOSALS

For the *REVIVAL* of

Dying Religion,

BY WELL-ORDERED

Societies

FOR THAT PURPOSE.

With a brief DISCOURSE, Offered unto a RELIGIOUS SOCIETY, on the First Day of their Meeting.

1 Theſſ. V. 11. *Edify one another*

BOSTON:

Printed by S. KNEELAND, for JOHN PHILLIPS, and Sold at his Shop over againſt the South-ſide of the Town Houſe. 1724.

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There are some interesting family likenesses between these societies of 1724 and 1881. In both great stress was put upon the weekly meeting, though in the earlier society the proceedings could hardly have been as varied and lively as in a modern Christian Endeavor meeting, for it was ordered that "there be two hours at a time set apart, and let there be two prayers made by members of the society in their turns, between which let a sermon be repeated, and there should be the singing of a psalm annexed."

Other features, too, remind us of the modern movement. For instance, the monthly roll-call meeting of the present-day society, by which it is kept free from inactive members, who are dropped if they fail to respond at three consecutive monthly meetings, seems to have been foreshadowed by an article in Cotton Mather's manual, which provides:

> Let the List be once a *Quarter* called over; and then, if It be observed, that any of the Society have much absented themselves, Let there be some sent unto them to inquire the *Reason* of their *Absence;* and if no *Reason* be given, but such as intimates an *Apostacy* from good Beginnings, Let them upon obstinacy, after loving and faithful Admonitions, be *Obliterated.*

The italics and the capitals are Cotton Mather's, who doubtless meant that the names and not the unfaithful members themselves were to be "obliterated" from the society rolls, as is to-day done in the modern young people's organization when the rules are lived up to.

The most fruitful book of recent times relating to Christian Nurture is doubtless Bushnell's great little volume with that title. It turned the thought of the modern Christian world to this subject, and compelled the Church to acknowledge that there must be growth from within as well as conquest from without if she was to hold her rightful possessions as well as extend her boundaries.

The writer acknowledges with profound gratitude his debt to this book, which he read with eager interest, and whose great thought of winning and holding the youth for the Church he sought to embody in the first Society of Christian Endeavor.

Though the Christian Endeavor Society apparently found such ready acceptance and grew with such rapidity, it must not be supposed that its sails were always filled with the favoring gales. In fact, in some quarters it to-day receives far "more kicks than ha'pence," though active opposition has largely ceased.

Some one has said that every great movement that wins acceptance must pass through three stages: the "pooh-pooh" stage, the "bow-wow" stage, and the "hear-hear" stage. At first the public sneers at it, next it growls at it, and lastly it applauds it.

The Christian Endeavor Society has passed through all these periods of disapprobation and approbation in almost every land, and even to-day has not got beyond the "bow-wow" period in some ministerial assemblies.

Its very earliest days, to be sure, were so small and inconspicuous that they excited no interest and consequently no denominational envy or opposition. The Portland local papers did not chronicle the birth of the new society nor record any of its doings for many months, and it was half a year before any religious newspaper (first "The Congregationalist," and soon after "The Christian Union" and the "Sunday School Times") gave a column to the working of the new society.

This was as it should be, for it gave the pastor and young people time to try the temper of the new blade before its virtues were exploited. They did not feel in any way that they were on show or on trial, and did not dream for a moment that what they were doing would be of interest to anybody else in the world. They simply all did the best they could in their own little sphere and for their own church, attending the meetings and taking part in them, as they had promised, answering to their names with a word of purpose or high resolve at the monthly consecration meeting, doing their share on the various committees without a thought that there would ever be another Christian Endeavor Society, or that any one would care to know about the first one.

But when the societies began to multiply, and the inevitable union meetings followed, and even National conventions

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began to excite attention, then the cooing voice of the turtle was no longer always heard in the land, but frequently the sharp treble of sarcasm or the deep bass of more violent opposition against the new movement which the Church had upon her hands almost before she knew it.

The most common accusation was that the Society would sap the strength of the church by segregating the young people; the critics apparently forgetting that in most families the young people have interests, pleasures, and duties of their own, which are in no wise antagonistic to the interests of their parents or the family as a whole.

The Society in those early days was frequently compared to the bumptious young man who, when he was admitted to his father's firm, hung out the shingle,

JOHN SMITH & FATHER

And one well-known Doctor of Divinity assured the writer, after an exposition of the principles of the Society had been given, that he had no objection to any callow and vealy young folks forming what they called a society. They could have a "Red-Headed Society," or an "Anti-Swallow-Tail Society," and for his part he presumed they would do as much good as this so-called Christian Endeavor Society.

Another very common objection in those early days was that it would promote a forced, precocious, hot-house religion, that the active members would become so fond of hearing their own voices in meeting that they would go about seeking whom they might exhort in ungrammatical platitudes.

Again the critics forgot that the object of the new prayer-meeting was not to develop a host of embryonic orators (that would have been a calamity indeed), but to put a premium upon outspoken, unabashed allegiance to Christ and his Church, and that a simple appropriate verse of Scripture or other quotation brought to the meeting fulfilled all the requirements of the constitution.

But this fact was difficult to impress upon some minds. The writer remembers laboring for some minutes to make this plain to a distinguished clergyman of the Church of England who had requested an interview on the subject. When he had finished, and succeeded, as he fondly hoped, in making his point, the distinguished clergyman merely remarked, with that exasperating brutal obtuseness which some Englishmen assume:

"This society of yours must make no end of prigs, don't cher know."

Sometimes, of course, the immaturity of the young people, but rarely their headiness, got them into trouble with their elders, as in the Australian society of Juniors who had the habit of placing on the minister's table in the vestry a little bouquet of flowers and a Scripture text as he was about to go into the pulpit. It so happened that their pastor was unsympathetic with the Junior society, and his estrangement was still further increased when he found one Sunday morning, lying beside the little bouquet, the unfortunate text, "Ye are of your father the devil;" whereupon he took the bouquet and the text and in high dudgeon threw them both out of the window.

The children, who were left too much to their own devices by their superintendent, had meant no harm, but, supposing that any verse they found between the covers of the sacred book was good, especially for a minister, had opened the Bible and written down the first one on which their eyes rested—an unhappy choice, truly, but still a due sense of humor would have prevented the good man from flying into a rage. This would have also mollified the bitterness of many another critic of the Christian Endeavor Society.

By far the most determined and effective opposition to the Society, however, has come from strict sectarians who have seen in its rapid growth a menace to denominational fences which had been built so high and guarded with so much jealousy.

And from their standpoint the denominationalists were entirely logical in their opposition, for though the Society has always inculcated the utmost loyalty to the local church and denomination, it also encourages and promotes the widest brotherhood, both internationally and

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interdenominationally, and has brought the young people of the different sects together as never before since there were sects to bring together.

But these official brethren of the strictest sects could not, or would not, see the difference between "inter" and "un," *inter*-denominational and *un*-denominational, and went to work vigorously, openly, and secretly to block the wheels of the Christian Endeavor movement.

In thousands of cases, chiefly in one denomination, existing Christian Endeavor Societies were disbanded, often against the earnest wish and protest of the young people; in other churches young people were forbidden to join the movement when about to start a society; rival societies with the same principles and methods, but with different names and a slightly different nomenclature, were started, and ardently pushed by denominational influence and money.

Especially in missionary fields has this denominational pressure been hard to explain, where groups of young native Christians have been forced to give up their Christian Endeavor name and organization, which they had come to understand and love, and to adopt a purely denominational name, meaningless to them, which only resulted in separating them, in a measure, from the native Christians of a neighboring mission.

At first it seemed, when the denominational cyclone struck the Christian Endeavor craft, as though she would founder on her very first voyage. But she soon righted, broad-minded men in every Church rallied to her help, her sails filled again, and it was seen that the denominational gust was but temporary and local.

Take it the world over, the great divisions of the non-liturgical Protestant Churches are about equally represented in the Society. The Presbyterians are perhaps the most numerous, certainly in the United States, though the Disciples of Christ and the Congregationalists are close seconds. In Great Britain the Baptists and Methodists lead, while in Australia the United Methodist Church has adopted the Christian Endeavor Society as part of the official church machinery, to be found in every one of their churches. In Episcopal churches the movement is beginning to grow; the Church of England Christian Endeavor Union is now a vigorous and aggressive organization.

In any event, whether Christian Endeavor is preached by name or not, its principles have been adopted and propagated by the denominational societies. In this we "rejoice, yea, and will rejoice." Moreover, their relations, which were at first very considerably strained, are becoming more and more brotherly toward Christian Endeavor, and several of them have become wholly amalgamated with the parent society by adopting its name, either alone or in connection with their denominational name.

No account, however brief, of this movement should omit mention of the remarkable series of conventions which have marked it almost from the beginning. The first Society was scarcely a year and a half old when it called its few friends and neighboring societies together, saying, "Rejoice with me."

This first little convention, when there were scarcely half a dozen known societies in all the world, was typical and prophetic. It was enthusiastic, eager, joyful, optimistic. It was full of song as well as prayer. The young people themselves had part in it. They and their leaders looked forward to larger and ever larger things. They felt the stirring of the pulse of a great movement, though they could hardly define it. A new kind of convention had been born, as well as a new prayer-meeting—and this, not of the will of man or of the wisdom of man, but of the power of God.

The long series since at Saratoga, New York, Boston, San Francisco, London, Berlin, Baltimore, Ningpo, Bombay, Tokyo, Madrid, and Durban, to mention but a few, have fulfilled in a wonderful way the promise of that first inconspicuous convention in Williston Church.

The great number of eager and earnest youth, the pick of the churches, who have at these times come together has of itself been impressive and inspiring. At the convention in Boston no less than 56,425 delegates were actually registered. The city gave itself up for

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a week to their entertainment. Public and private buildings, and city parks, and all railway stations within a radius of twenty miles, were decorated with welcoming banners. Three simultaneous meetings, aggregating nearly 30,000, were held every day, besides many smaller gatherings, and, in the denominational rallies, more young Baptists, Presbyterians, and Congregationalists assembled in each tent and hall, it is said, than had ever before come together.

In San Francisco, a few years later, the same scenes were repeated. More than twenty-five thousand people crossed the mountains from the East on special trains. The leading dailies for a week agreed to omit all details of crime and horror, and give themselves to religion and the convention.

The latest convention, held in Baltimore last summer, was in many respects the most significant and enthusiastic of all.

Nor is this interest confined to volatile young America. Conventions in Great Britain, Australia, Germany, China, and India have been quite as remarkable and full of enthusiasm.

The writer has seen the great Albert Hall in London on more than one occasion, as well as the Metropolitan Tabernacle and City Temple, the splendid City Halls of Melbourne and Sydney and Adelaide, and the largest churches which could be obtained in Kobe and Foochow and Calcutta and Madura and Honolulu and many other cities, thronged with eager crowds of young people at such conventions.

There is something contagious and fascinating about their enthusiasm, and the magnificent volume of voice in the music; it all seems to be a foretaste and promise of the time when "all nations and kindreds and peoples and tongues" shall stand "before the throne and before the Lamb," crying with a loud voice and saying, "Salvation to our God which sitteth upon the throne, and to the Lamb."

These conventions are, indeed, symbols of Christian fellowship personified, and herein perhaps lies their chief charm.

The late Joseph Parker voiced this idea in his own picturesque way at the World's Christian Endeavor Convention in London in 1900. On the same platform in the Alexandra Palace were the Bishop of London, Hugh Price Hughes, Dr. Greenough, representing the Baptists, and Dr. Monroe Gibson, the Presbyterians; while Dr. Floyd Tomkins, Dr. Maltbie Babcock, and other well-known Americans added distinction to the platform.

Each speaker was supposed to represent his own denomination, and Dr. Parker was naturally expected to speak for Congregationalism.

It was a frightfully hot day; the sun beat down with relentless force upon the great glass roof. Dr. Parker perspired at every pore, and the water seemed to drip from every individual hair of his shaggy locks. In his thunderous tones he remarked, after a few preliminary words, "Mr. Chairman, I wouldn't be wet through for any ism in the world, but I will sweat anywhere for the cause of fellowship and brotherhood as represented in this splendid assembly!"

The tremendous applause that followed this sentence showed that the audience, too, were willing to perspire for the cause of Christian unity.

My space is almost exhausted, and I can but indicate in a word the underlying principles that have made such a movement and such conventions possible.

First, Deep religious devotion. There is no such compelling and attractive power as this. "For Christ and the Church" has always been the motto of the Society.

Second, Service for all and all for service. "No impression without expression," the latest word of the psychologist relating to adolescent youth, has been practically wrought out in Christian Endeavor methods.

Third, "Fellowship with Fidelity," "Brotherhood with all, loyalty to one's own"—these are the watchwords which are heard in Christian Endeavor circles all over the world, and which, incarnated in deed, have given the Society its power.

What of the future?

Let the historian of the fiftieth year of the Society prophesy after the event,

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But it can be said in a general way that the outlook was never so bright as to-day; the Society was never winning its way so rapidly in all lands; its critics were never less destructive or more helpful; its supporters were never so numerous and courageous; and, with augmenting ranks, increasing flexibility, enlarging scope and variety of service, and a firmer grasp than ever on its fundamental principles, it is entering upon its second quarter-century with more than the vigor, hope, and determination of its earliest youth.

PERSUASION AND CONTROVERSY

BY BRANDER MATTHEWS

A FEW years ago a colonel of the Civil War, who is now a Justice of the Supreme Court of the United States, delivered a Memorial Day address on the "Soldier's Faith," in which he suggested that it is perhaps "not vain for us to tell the new generation what we learnt in our day and what we still believe—that the joy of life is living, is to put out all one's powers as far as they will go, and the measure of power is obstacles overcome; to ride boldly at what is in front of you, be it fence or enemy; to pray not for comfort but for combat; to keep the soldier's faith against the doubts of civil life, more besetting and harder to overcome than all the misgivings of the battlefield."

It will be a sorry day for us when words like these of Mr. Justice Holmes fail to arouse an echo in the hearts of our young men.

"For never land long lease of empire won
Whose sons sate silent when base deeds were done."

When the youth of America is ready to seek comfort and to shrink from combat, then the end will be near, and society will stagnate into a morass of moral malaria. Life is neither nirvana nor chaos; it is a never-ending struggle toward the Promised Land; and no sooner have we topped one hill than another still higher rises before us, which we shall find the easier to climb since our muscles have been hardened by the earlier effort. No sooner is one victory won than there looms large before us the next conquest to be undertaken. There is never a truce in the fighting, and never a season when the armor may be laid aside. But of a truth the joy of living is in the putting forth of all our power in overcoming the obstacles which are more abundant and more difficult in civil life than on the battlefield, as the soldier-judge declared. Yet the more abundant they may be and the more difficult, the keener is the zest of combat, and the less worthy is the comfort which might come to us from giving up the struggle.

If, however, there is a cause in behalf of which it is worth while to battle, surely also it will be worth while to learn how to wage the war. Ardent youth is swift to enter on a civic campaign, often without training and without taking time to form a plan, although none of us is ignorant that the course of military instruction at West Point extends over four years; and it teaches only the elements of the art of war. If it is true that the conflicts of civil life are more exhausting than those in which the soldier engages, and that the maneuvers of the enemy are more baffling, then is there an obvious need of education for those who are undertaking a civic struggle. They go forth to contend with evil, by calling the attention of the public to the impending danger and by awakening the interest of good citizens in the cause in which they are enlisted.

Here it is that a military metaphor becomes misleading. Although it is our duty to wrestle with wrong and to overcome it, we can win the fight only with the weapons of peace; and of these the most important is persuasion. We can

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achieve our end only by so presenting our case as to bring over to our opinion the majority of our fellow-citizens. Undue aggressiveness is wholly out of place; it will never attract, it will always repel. No doubt the actual adversary must be faced boldly; but there is rarely ever any chance of converting him, for he is rooted in his own superstition, and he has his own reasons for the faith that is in him. It is not the opponent who stands up against us that we are striving to convince, since his case is hopeless. It is to the bystanders that every appeal must be addressed, to those who are looking on idly and without attention. If their interest can be aroused, if they can be converted to our view, then our adversary is beaten, even if he is stubborn to the end; for then the majority is ours, and he is only one of a shrinking minority. This is an aspect often overlooked by men who are naturally combative and who are lacking in the sympathetic appeal which wins adherents; they spend all their energy in the grapple with the individual advocate of the other side, and they pay no heed to the duty of persuading those who are not hostile, but only indifferent. Sometimes it seems as though their interest was rather in the argumentative duel than in the final decision of the debate.

Only those who have taken active part in urging an improvement or in assaulting an evil, ever realize how difficult it is to awaken the attention of the general public in behalf of any particular cause, and how protracted and wearisome a task it is to arouse any real interest in favor of it. The human units who make up the general public know little or nothing about any one topic, and they seem to care less. They have each of them their own traditions, their own prejudices, their own proportion of conservatism, their own distrust of innovation. They have a strong desire to let well enough alone and to keep to the good old ways. Yet they are not resolutely hostile to any new proposal; they simply fail to see the necessity for it or to seize the significance of it. They are open to conviction, if you can once get them to listen to you while you show cause why your opinion should be adopted. They are all of them engaged in minding their own business; and they are loth to lend an ear to any one who asks them to listen to argument or even to evidence.

Yet it is these human units who are to be made to listen, who are to be won over, who are to be awakened from careless inattention and aroused to active interest. Whoever applies himself to this labor of love must possess his soul in patience and curb his temper with firmness. He must put up a good fight against the defenders of the condition which he is attacking, but he ought not to waste his strength mainly upon them. He must never let a delight in controversy tempt him to forget that his chief duty is not to argue with the other side, but to persuade the men who are taking no part in the dispute—the men who are ready enough to dismiss the matter from their minds, and who are prompt to cry "a plague on both your houses." These are the very men whose support, if only it can once be secured, will make success certain. Whenever they can be allured into listening to the facts, they are swift enough in coming to a decision on the merits of the case; and when public opinion has once been created in favor of a cause, all the protests of its opponents are useless and hopeless. There is no need to waste time in answering the arguments of the other side after the public has made up its mind.

It is not really argument which is effective, it is information. If once you can induce the public to believe that here is something that they ought to know about, if once you can get them to turn aside from their own work long enough to take in a plain statement of fact, then the rest is easy. But to get them to listen at all is not easy; it is very hard indeed, and it cannot be done in a hurry. It can be done only by patient and unceasing effort, which profits by every occasion, and which neglects no opportunity.

In this first approach nothing is more important than an unassuming manner. If you want to win the public to listen, you must be firm, of course, but you must not be condescending; for there is

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nothing that human nature resents more quickly than being addressed in words of one syllable, as though it was infantile in understanding. And as you must not assume superiority, so you must avoid the domineering tone and the aggressive attitude which only too many reformers are prone to adopt. For example, there is little doubt that the ineffectiveness of Ruskin's eloquent crying aloud in the wilderness was due largely to his shrill scolding and to his contemptuous bullying. As the late Sir Leslie Stephen pointed out, "the arrogance of Ruskin's language . . . is one of the awkward consequences of being an inspired prophet," since "it is implied in your very position that your opponents are without an essential mental faculty." Over-emphasis always excites antagonism in the average man, just as over-statement arouses suspicion.

In fact, nothing is more effective than an under-statement so clear and so moderate that the listener is inclined to believe himself capable of restating your case more powerfully; for if he once undertakes this, he is your partisan forever, if only for the pleasure of arguing on your side better than you have done. As M. Émile Faguet has reminded us recently, "the great point of all dialectic and of all eloquence is to make men believe that they come to a decision of their own accord, that they are guiding themselves, that the idea which has just been given to them is one they have had since infancy." This is a difficult feat, no doubt, but it can be accomplished by a sincere speaker who is also adroit, as Lincoln was. It is never achieved by an exhorter who scolds and who bullies; the more he talks himself hoarse, the more he hardens the hearts of his hearers, fixed in their resolve to oppose him.

It is recorded that Benjamin R. Curtis once tried a law case against John P. Hale, and was astounded when the verdict went against him. "I had with me all the evidence and all the argument," he explained, "but that confounded fellow, Hale, got so intimate with the jury that I could do nothing with them." And we may rest assured that there was in Hale's manner, while he was dealing with the men in the jury-box, nothing superior or condescending, nothing aggressive or domineering. He met them on the level of a common humanity, and he assumed that they possessed both intelligence and a desire to do right. It is comic to think how complete a failure Carlyle or Ruskin would have made had either of them been called to the bar. Prophets of wrath they may have been, both of them, but sweet reasonableness was not their portion. They may have helped to destroy the temples of Baal, but whatever they sought to build themselves was built on the shifting sand. At best, they achieved only the easier feat of destruction, and they failed to accomplish the more useful duty of construction.

An illustration of the successful use of cogent under-statement can be taken from the history of the movement in behalf of international copyright. Only after half a dozen years of incessant endeavor was it possible to pass the act of 1891, whereby the protection of copyright in the United States was extended to the foreign authors who should comply with certain conditions. Previously foreign authors had no control here over their own writings, which were freely pirated, thus forcing American authors to sell their writings in unfair competition with stolen goods. Obviously, this was a bitter wrong alike to the friendly alien and to the citizen; but it was very difficult to make the average man see this. Winter after winter the members of the American Copyright League devoted themselves to the awakening of public interest. Meetings were held in the larger cities, and reports were published in the local newspapers and telegraphed all over the country; speeches were made before all sorts of societies; sermons were preached on the National sin of literary piracy; articles were inserted in the magazines and reviews; statements were put forth frequently in which the question was considered from every point of view; explanatory pamphlets were to be had for the asking; and no possible means of arresting public attention was neglected. And yet, after this propaganda had been going on for years, the advocates of justice

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were continually surprised to meet men of education and of intelligence who had paid no attention to our appeals and who were not aware that there was a wrong to be righted. These men were very rarely hostile; they were only uninterested because of their total ignorance in the matter. Generally we found it easy enough to gain their sympathy, and sometimes even their active support, after they once understood what the need was for an improvement in the law. But they had been minding their own business, and they had chanced not to be reached by any of the multitudinous appeals that we had been making.

Some of the appeals, it must be confessed, were now and then declamatory and domineering; and it was apparently a reading of these unduly vehement documents which turned the late Speaker Reed against the cause. This was the more unfortunate as the time came when he was the one man whose good will was absolutely necessary. The friends of the bill believed that it would pass if it was allowed to come up; that is to say, if only the Speaker would grant a small portion of time in the final days of the session, always tumultuously overcrowded. Just then, as it happened, a member of the League published a paper from a new point of view, tracing the slow evolution of copyright ever since the invention of printing, and pointing out that the United States, which had been among the most progressive nations at the end of the eighteenth century, was among the most backward in this respect at the end of the nineteenth. The writer of this paper was studiously moderate in tone, and he strove to force the reader to draw his own conclusion—that the opportunity was then offered for this country to recover its proper rank among the nations. A member of the Copyright League—who is now the President of the United States—asked the Speaker to read this article as a personal favor to him, and the next day Mr. Reed told Mr. Roosevelt that he was ready to grant time for the passage of the bill.

Probably it was the cautious understatement of this paper which captured the sympathy of the Speaker, and quite possibly the vehemence of some of the other appeals which had repelled him were more effective with readers of another type. The very manner needful to arouse the interest of one man another may reject as rant. There are all sorts and conditions of men, and they cannot all be converted by the same arguments. But, however emotional the speaker, however lofty his standard, however assured he may be as to the moral necessity of the step he is advocating, he will fail to reach the hearts and to touch the minds of his hearers unless he is ever honest with himself and unless he is absolutely fair to his opponents. If he descends to personalities, he may amuse his audience, but he is far less likely to bring them over to his side. Indeed, the sincere advocate of a cause will often accomplish most by resolutely refusing to acknowledge the existence of his opponents as persons. In stating his own case he will meet their arguments fairly, refuting them as best he can; but it will be arguments that he will attack, and never the persons who have put forth the arguments. Especially will he refrain from misjudging the good faith of those who urge these opposing arguments; for, by the very fact that he has been willing to enter on a debate with them, he has placed himself on the same plane, and whatsoever debases them lowers him also. Any man seeking to persuade will do well to refrain from controversy. It was Dr. Holmes who drew attention to what he wittily called "the hydrostatic paradox of controversy," pointing out that "controversy equalizes fools and wise men, and the fools know it."

The wise men know it also; and they keep out. They know that controversy, in the narrow meaning of the word, is useless, and worse than useless, even if it does not descend into the rude exchange of offensive personalities. They know, as Sainte-Beuve has declared, that "after half an hour of any dispute no one of the contestants is any longer in the right, and no one of them is then really aware of what he is saying." They know that public interest very soon ebbs away from a dispute between persons, and that public opinion is likely to accept what each side says against the other and to

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reject what each side says in favor of itself. They know that a prolonged debate is likely to defeat the interest of those who are in the right and to raise a dust of side-issues for the profit of those who are in the wrong. They know that nothing is more hopelessly uninteresting than a controversy which has died down to its ashes—ashes in which there may be heat enough but never any light. They know that protracted controversy is fatal to persuasion, and that persuasion is the only means of carrying a cause to victory.

Not a few wise men have carried this distaste for dispute so far that they have resolutely refused to pay any attention to personal attacks. Buffon was one of these; and he explained that he took pride in the thought that persons of a certain kind could not injure him. Ibsen advised Georg Brandes to adopt the same attitude—"Look straight ahead; never reply with a word in the papers; if in your writings you become polemical, then do not direct your polemic against this or that particular attack; never show that a word of your enemies has had any effect on you." Jowett summed up his own principles in a terse sentence: "Never retract, never explain; get it done, and let them howl." And this is only a new setting of the old Scots saying, "They say. What say they? Let them say." Silent contempt is often the most crushing rejoinder; it is the true vengeance of large souls; and it is the one way open to all who are seeking to persuade and who are determined to abstain from bickering. A good workman is not known by the chips on his shoulder.

In attacking an established abuse, the ardent advocate of improvement will find himself confronted by opponents belonging to several different classes. First of all, there are those who are conservative by nature and who are moved to defend the established order of things simply because it is the established order, and because they dread and detest innovation of any kind; and these can often be won over by showing that the proposed change is not really an innovation, but rather a return to the practice of the fathers and to the usage of the good old days. Second, there are those whose good faith is beyond question, but whose temperament leads them to defend the existing situation in spite of its defects; and these are the men whose opposition is most difficult to overcome, because they are honorable adversaries, possessed of the best intentions. They must ever be faced firmly but courteously; and their arguments must be met squarely. It was of opponents of this type that Gladstone was thinking when he said that "the one lesson life has taught me is that where there is known to be a common object, the pursuit of truth, there should be a studious desire to interpret the adversary in the best sense his words will fairly bear."

And then there is a third class, of those who are personally profiting by the abuse which you are attacking; and it is from these that you may expect the bitterest fight and the most unscrupulous. They will never hesitate to resort to the meanest of personalities and to the imputing of the lowest of motives. They will seize any weapon that comes handy; and they will never hesitate to strike below the belt. This is an unsavory opposition, which must be anticipated; as the "Autocrat of the Breakfast-Table" declared, with his pithy shrewdness, "you never need think you can turn over any old falsehood without a terrible squirming and scattering of the horrid little population that dwells under it." But although the defense of an abuse by the men of this type, who are touched in their pocket, will always be venomous and protracted, it is likely also to be so violent and so hysteric and so offensive as to repel the sympathy of the disinterested onlookers in whose hands the final decision lies.

As a general rule, it is safest and wisest to disregard the ululations of unworthy opponents of this type or of any other; but sometimes a rare occasion may arise when it is needful to turn on an opponent, and to smite him hip and thigh, and to reduce him at once to impotent silence; and this is what Huxley did to the Bishop of Oxford. Sometimes again the chance may present itself to puncture an adversary with a swift retort, just as Leatherstocking caught by the handle the tomahawk the

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Indian had thrown at him, hurling it back at once to bury itself in the brain of his red foeman. Once when a noted wit was holding forth, a drunken bystander broke out with "You're a liar!" To which the noted wit returned, instantly and with the utmost suavity of manner, "Surely not—if *you* say so!" When Beecher was addressing a meeting in Liverpool packed with Southern sympathizers, a voice from the gallery asked him why we had not ended the war in sixty days as we had said we would. There was a pause in the tumult at this home-thrust, and Beecher took advantage of it to reply, "We should have done so, if we had been fighting Englishmen!" To the credit of his hearers, this bold stroke touched their sense of fair play, and thereafter they listened to what he had to say.

But though this may be successful, it is ever dangerous, for it is perilously close to the flinging to and fro of empty personalities. If the foeman is unworthy of your steel, and if you suspect him capable of a foul blow, it is best to refuse to cross swords with him. There was common sense in the saying of Truthful James, in his metrical minutes of the meeting of the "Society upon the Stanislaw," when he declared that

"I hold it is not decent for a scientific gent
To say another is an ass—at least, to all intent;
Nor should the individual who happens to be meant
Reply by heaving rocks at him, to any great extent."

The general public takes no interest in the bandying about of personalities; and it is even inclined to despise a victory won in such ignoble strife. On the other hand, it is swift to give its confidence to those whom it has observed to be honest to themselves and fair to their adversaries, moderate in statement and dignified in utterance. And it is the general public which must decide the question at last; and the general public is ever repelled by unseemly altercation; and it can be reached only by incessant and unassuming persuasion. He who seeks to convert it must be patient and persistent, coaxing the general public to go forward with him one step at a time, and taking care that there are no steps backward. He must remember the potency of little drops of water and of little grains of sand. He must not try for too much all at once; but he must ever be ready to take what he can get, and he must always be glad to convert an individual here and there, since the general public is only a mass of stray individuals.

Above all else must the advocate of a new cause and the assailant of an old abuse respect the opinions of those he is striving to convert. He must ever bear in mind that the average man, the unit which is multiplied into the general public, means to do right—that the average man is ever ready honestly to echo the fine phrase of Marcus Aurelius: "If any one is able to convince me and show that I do not think or act right, I will gladly change. For I seek the truth, by which no man was ever injured. But he is injured who abides in his error and ignorance."

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Comment on Current Books

The Climbers We cannot say that Mr. Clyde Fitch's plays "read" as well as Mr. Barrie's or Mr. Bernard Shaw's. They were made to act, and with little thought of literary effectiveness. "The Climbers" had a considerable degree of success on the stage, and has some well-devised situations. (The Macmillan Company, New York. 75 cts.)

The Conquest of Arid America The feature of special interest in the revised edition of William E. Smythe's stimulating account of the part played by irrigation in the opening up of the West is the section devoted to a résumé of the progress made since the book first appeared, five years ago. Mr. Smythe was himself a pioneer in the National irrigation movement, and is thoroughly competent to serve as its historian. He is, moreover, imbued with the hearty, optimistic spirit of the West; and if at times he appears overenthusiastic, his picture of the past and present is none the less significant for the possibilities it reveals. Intending home-seekers will find much practical information in his pages, while readers of all types will derive therefrom a larger knowledge of the States in which the work of colonization is now being pressed so vigorously. Mr. Smythe's book falls into four parts. In the first he discusses colonization and irrigation in a general way; in the second, some of the earlier irrigation ventures; in the third, the several arid and semi-arid States which remain to a greater or less extent undeveloped; and in the fourth, the genesis and evolution of the movement which has led to the intervention of the United States Government in the task of reclaiming the desert parts of our country. He also supplies, in an appendix, the text of the original Newlands Irrigation Bill and of the present law, and a brief statement of methods of irrigation. In addition to revising the text, he has incorporated new illustrations from recent photographs. As it stands, his book is invaluable to all who would make themselves fully acquainted with the internal territorial expansion of the past few years. (The Macmillan Company, New York. $1.50, net.)

The Life of Froude Herbert Paul is an enthusiastic but not indiscriminating admirer of Mr. Froude. His admiration lends a charm to his volume, but also imparts to it its two chief defects: it could be lessened in bulk with advantage, for it contains repetitions more appropriate to a speech by a defendant's counsel than to a biography; and its tone is throughout too much that of one who is retained to defend an accused from attack. But in the main we agree with Mr. Paul's interpretation. Mr. Froude was bitterly assailed by three classes of enemies: first, by ecclesiastics, for his liberalism in theology; second, by scholastics, pre-eminently by Mr. Freeman, because he was guilty of making history interesting; and, third, by the devotees of Mr. Carlyle, because he ventured to tell the truth about their hero. In all three cases there was some excuse for the attack. Mr. Froude's reaction against orthodoxy carried him, as Mr. Paul admits, too far; but after reading Mr. Paul's account of Froude's childhood, the reader wonders that the youth was not carried over into blank atheism. In writing history Mr. Froude, though conscientious in his investigations, was not always careful in matters of detail, nor was this carelessness confined, as Mr. Paul seems to imply, wholly to proof-reading; and his dramatic instincts led him sometimes to accept minor incidents which were inadequately verified though not inherently improbable, because they furnished such effective color to his narrative. But he was one of England's really great historians; in our judgment a far better historian than Freeman; because a true understanding of character and a true interpretation of events is far more important than minute accuracy in dates or the spelling of names. No historian has done so much as Mr. Froude to interpret aright the English Reformation and its great characters, no one so much to explain Henry VIII., and no one so much to dispel the romantic mystery which has enveloped the character and career of Mary Queen of Scots, who deserves to be ranked, as Froude's realistic portraiture has ranked her, with Jezebel of Israel, Lucretia Borgia of Italy, and Catherine de' Medici of France. There may be a question whether he ought to have told at all the story of Carlyle's domestic infelicities. We have no question that in telling it he took somewhat too seriously Carlyle's exaggerated expressions of remorse. But in the main the fire of criticism to which his narrative has been subjected has had no other effect on those who have read the voluminous literature on both sides, if they are accustomed to weigh and measure evidence, than the conclusion of Sir James Fitzjames Stephen: "It is to me wholly incredible that anything but a severe regard for truth,

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learnt to a great extent from his teaching, could ever have led you to embody in your portrait of him [Carlyle] a delineation of the faults and weaknesses which mixed with his great qualities." (Charles Scribner's Sons, New York. $4, net.)

La Salle's Journeys

Under the title "The Journeys of La Salle and His Companions," Professor L. J. Cox, of the University of Cincinnati, has edited the original narratives of Tonty and others of that intrepid band of explorers. Some of these narratives have been difficult of access, and certainly they all abound in stirring adventure and incident. Professor Cox's characterization of La Salle is worth quoting: "He was coldly ambitious, reserved to hauteur, over-confident in his own judgment, with great natural ability and equal determination, imaginative to a fault, and consequently often more visionary than practical. . . . The essential failure of his colonizing and monopoly projects should not obscure his real services as the greatest French explorer of the Mississippi Valley." (A. S. Barnes & Co., New York. 2 vols. $2, net.)

The Modern Trust Company

F. B. Kirkbride and J. E. Sterrett meet a real need with this book. The modern trust company is so essentially a modern institution that hitherto there has been no account of its organization and operations written with the fullness necessary to enlighten the general public. The present work, however, is so complete and lucid that it should serve as a standard guide not only to the public but to students of banking and finance, and deserves wide recognition as an authoritative text-book. No detail of trust company functioning appears to have escaped the authors, who further proffer numerous suggestions of solid value to the management of such concerns. The point of view is soundly conservative, and there is little theorizing, concreteness being the distinguishing characteristic throughout. The practical usefulness of the book is increased by the reproduction of a number of the forms best adapted to facilitate the conduct of business. (The Macmillan Company, New York. $2.50, net.)

Nation Builders

This saga of the early days of American Methodism vindicates the fact which its title assumes. Home missions among the pioneer families who planted themselves in the wildernesses now transformed into civilized States made the American people what it is to-day—a people dominated by moral sentiment, and stamping its National coinage with the most widely circulated of all confessions of religious faith, *In God We Trust*. In this work of nation-building the itinerant Methodist preachers bore not the only but still the leading part. Especially in the Central States, with which this volume is largely concerned, they made a record of ever-memorable courage, patience, and fervor. The history of the circuit-rider is closed. But there is no part of our National history which more deserves to be treasured in living memory. It is a continuation of the Acts of the Apostles. The experiences of its heroes here related have a stirring martial note, as well as a fascinating personal interest. The plan, with a small portion of the story, comes from the late Andrew Carpenter Wheeler, known also by his pen-name, J. P. Mowbray, to whose friend, Mr. Edgar Mayhew Bacon, of Tarrytown, New York, its completion is due. (Eaton & Mains, New York. $1.)

The Prevention and Cure of Tuberculosis

Two-fifths of this volume is occupied with the essay of Dr. S. A. Knopf, of New York, selected in 1900 from eighty-one competitors to receive the prize of $1,000 offered by the International Congress at Berlin for the best treatment of the question how to combat tuberculosis as a disease of the masses. This essay has already been translated into many languages. To this are added a dozen or more short chapters by various authors, which the compiler, Mr. Joseph R. Long, has drawn from the "Handbook on the Prevention of Tuberculosis," published by the Charity Organization Society of New York, and other sources. The non-professional reader will find here what every one should know concerning "the great white plague," its prevention and its extirpation. (H. M. Brinker, Denver, Colorado.)

Pioneer Days of Oregon History

S. A. Clarke, the author of this unique and interesting contribution to the history of the Pacific Northwest, is himself an Oregon pioneer, having made his home in that State since 1850. He has for many years studied and written on the history of the region, and his present work, which comprises two substantial volumes, is intended, in his own words, as a last tribute to the people of Oregon, "who for half a century have been my kind and indulgent friends." His object is to set forth the story of the growth of Oregon from the earliest days of discovery and exploration to the establishment of a territorial government, and this he does in an original and unconventional way, preserving chronological unity, but expanding the narrative by the inclusion of a mass of material not commonly found in historical works—

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reminiscences of missionary, fur-trader, trapper, and mountaineer, descriptions of Indian life and characteristics, Indian folk-lore, first-hand accounts of romantic and tragic episodes of early settlement, etc. Necessarily his work contains a good deal of little more than local interest, and from the standpoint of the critical historian is in some respects open to serious objection. But it is not without value for the light it sheds on a civilization already of the past, and for the fact that it preserves much of historical interest which might otherwise be lost. Mr. Clarke's style is plain to the point of awkwardness; but his book is undeniably readable and should attract an audience not limited to those to whom he primarily addresses himself. (J. K. Gill Company, Portland, Oregon.)

Spiritual Adventures In creating a work of art one has to be relentless in the rejection of material. Mr. Symonds, in his "Spiritual Adventures," has applied the principle of selection rigorously. He presents in this volume eight studies in temperament. In each study he is intent on reproducing a distinct temperamental type; or, to put it another way, in each case he has isolated a temperament and assigned it to a person. In real life, of course, temperaments are not apportioned out to people in that fashion; but these studies do not purport to be records of real life. They are pictures. Each study has a tone of its own as truly as a painting by Whistler. Traits which would mar the tone of a study are not even suggested. Some readers may find a certain intellectual stimulus in reading this book, just as some people find religious stimulus in looking at a Giorgione; but those will judge it best who read it as a work of literary art. As such it is undoubtedly skillful. Among the writers of to-day who regard the pen as a craftsman's tool Mr. Symonds cannot be ignored. These studies, however, show more skill than sense of beauty. There is scarcely a tint of cheerfulness or real health in the series. The tones are all too gloomy. No artist can wholly escape responsibility for his choice of subject. Like the pictures painted by one of the men here portrayed, these studies not only have a hint of unhealthy green in their shadows, but have for their subjects the abnormal or artificial. No matter how impersonal the reader tries to be, he will probably close this book with a sense of depression. (E. P. Dutton & Co., New York. $2.50, net.)

J. M. W. Turner Eight biographies have already been written with Turner as their subject. His was a puzzling character, and criticism of his works is apparently occupying less space in the late than in the early biographies. The latest of all is the work, not of a literary man, but of a painter. Mr. Wyllie has a true brother-painter's sympathy for Turner's troubles and trials, rough and uncouth as was that worthy. As to Turner's works, an artist is, of course, better able than a mere teller of tales to distinguish the difficulties, limitations, beauties, and influences of a painter. However sympathetic Mr. Wyllie's attitude, he may well envy the literary man's style. The latest biography of Turner is not brilliant in that regard, though Mr. Wyllie's language is undeniably clear and concise, especially in his replies to certain assumptions—notably Ruskin's—about Turner which Mr. Wyllie thinks unwarranted. (The Macmillan Company, New York. $3.)

The Wisdom of the Simple This story of the East Side of New York is chiefly interesting because of the personality of the author, Owen Kildare. His first book, "My Mamie Rose," was hailed as a remarkable achievement because the author, as he told in that book, was at the age of thirty a "Bowery tough" who could not read or write his own name. The present volume describes the careers of two boys on New York's East Side, with a little too much of the atmosphere of the old-fashioned Sunday-school book to be a good story. (The Fleming H. Revell Company, New York. $1.50.)

A Yellow Journalist A clever, readable story by Miriam Michelsen, the author of "In the Bishop's Carriage" and "The Madigans." It describes the experiences of a young woman reporter on one of the yellowest of American newspapers. Her quest for "copy" brings her into intimate relations with public and private scandals, family quarrels, divorce cases, and murders. The unscrupulous methods which she pursues in the attempt to score a "beat" for her paper are hardly less repellent than the details of the cases themselves. The young woman is a very entertaining person, but not even the attractiveness of her personality makes "yellow journalism" seem anything but vulgar and degrading. (D. Appleton & Co., New York. $1.50.)

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Letters to The Outlook

ARIZONA AND STATEHOOD

In the issue of The Outlook for December 30 there is an editorial on the Statehood Question which contains such a gross misstatement of facts in regard to one phase of that subject that I am sure you will welcome a contradiction of the same. I refer to that part of the editorial which relates to Walter Wellman's article in the Chicago "Record Herald," and the "railroad and mining lobby" in Washington. Now, it has been my privilege to be associated the past four weeks in a very intimate way professionally with the man who, outside of Congress, has been leading the fight against joint Statehood for Arizona and New Mexico. This man has had more to do with the marvelous development and progress of Arizona than any other one man, and he is at the present time unquestionably the leading citizen of that Territory, and it is this individual, together with his brother, an honored ex Governor of the Territory whose home is in Washington, who have constituted the "railroad and mining lobby" referred to in your editorial. Having been in a position to be thoroughly acquainted with the methods and tactics pursued by these gentlemen in their opposition to "joint Statehood," I wish emphatically to state that their conduct in this matter has been honorable and beyond criticism, and such that no advocate of pure political methods could take the slightest exception to it. As a matter of fact, it has been their clean-cut method of opposing the bill in question that has been a real element of their strength as they have come in contact with the members of Congress. To these latter they have repeatedly said, "All we ask is that you will not act in this matter until you have thoroughly investigated the conditions in the Territories; and if you will only do this, we fear not the result." Well indeed would it be for Congress and the legislation it enacts if in connection with all questions of public policy it could have the help and advice of such clean and honorable "lobbyists" as are the men to whom this communication refers—men who are fighting with clean hands and right motives for the Territory they love and which they have been so instrumental in developing.

CHARLES E. BARKER

FACTS ABOUT ARIZONA

In your issue of December 16, pp. 911 and 912, there are a few misleading statements which no doubt you will gladly correct when your attention is called to proper data. *Vide* Twelfth Census, our population was 122,931—inclusive of 26,480 Indians—net 96,451; there is where the 29 per cent. of illiteracy came in. Same volume, pages 909–13, you will find that the native white illiterates are only 4.5 per cent., while in the whole United States the percentage is 4.9. You note 7,000 Mormons; eliminate the women and children, leaving 1,378 voters, not a very large factor in 44,081 voters. It is a fact that this is a rapidly developing mining territory. In 1902 there were engaged in this industry 5,323 persons, about 4.5 per cent. of population, while in agriculture we have 16,174, or 13.1 per cent. of population. Males of working age, fifteen and up, show 30.3 per cent. engaged in agriculture (United States Census, Vol. 2, p. 508). There are in culture now about 257,000 acres—less than one-third of the available land when irrigation works in progress are completed. With the large holdings subdivided, no farmer can individually do justice to over forty acres; there will be room for a quarter of a million agriculturists. New Jersey has only 68,881; Pennsylvania, 341,712; Connecticut, 44,796; Massachusetts, 66,551, etc.; so in ten years' pro rata progress with past ten years we will show a good general average with any State in that line—based upon the fact that farming pays upwards of 150 per cent. better than the general average of the whole United States, and our methods are yet very crude.

I inclose twenty pages of solid facts if you care to be further informed, and pray for your good services to aid us in our desire to be let alone and work out our salvation on merit.

SILAS ST. JOHN.

Prescott, Arizona.

[Some of Mr. St. John's figures are either ambiguous or inaccurate. According to the Twelfth Census, of the total native white population (over ten years of age) the percentage illiterate in the United States is 4.6, while that in Arizona is 6.2. The detailed statistics are, however, of little importance. We took the figures in the Senate Report on the Statehood Bill as sufficiently worthy of confidence to be used in round numbers. At best our correspondent's statements and those in the pamphlet containing "twenty pages of solid facts" are in refutation of the arguments for joint Statehood with New Mexico; they furnish even more ample arguments against single Statehood for Arizona. —THE EDITORS.]

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STATE CONTROL OF CORPORATIONS

[The following letter, coming from a Justice of the Supreme Court of Pennsylvania, deserves, by reason of the character and position of its author, careful consideration. It does not, however, modify our conviction, for reasons often given, that corporations engaged in inter-State commerce must be brought under the Federal control; that no State control is or can be adequate.—THE EDITORS.]

For the most part I agree so thoroughly with the views of The Outlook that it only emphasizes an occasional point of difference. In the last issue you repeat a statement which, in my judgment, ought not to pass without protest. You say, referring to Federal control of corporations, "proper control is no longer possible by the single State which creates corporate existence." I beg leave to question sharply the accuracy of this statement, and I submit that it has no foundation in fact. On the contrary, the State which creates corporate existence has the power of complete control over its creature, as absolutely as has the potter power over the clay which grows into shape under his hands and which takes the form that he gives to it.

A corporation can do nothing except that which by its charter it is authorized to do. It is in this respect limited—like the powers of the Federal Government. It can do that only which its charter expressly or by fair implication gives it the right to do.

Plainly, then, the remedy for wrongful action by corporations lies in limiting their powers, when they are being created, and by supervising them more closely, by the same authority which called them into being.

Does any one doubt for a moment the power of the State of New York to supervise and control to any desired degree the insurance companies chartered by that State? Certainly not. Insurance companies can be controlled by the State to just the same degree and with the same success as are the savings banks. The only trouble heretofore is that the State has not attempted to discharge this duty. But her ability to do it cannot be questioned.

Neither can the right of each State to protect its people against the inroads of loose or unsafe corporations organized in other States be questioned. Under the principle of comity between the States, a very broad and liberal practice has grown up of permitting practically free and unrestrained access to the people of the various States by corporations of other States. But this principle has been carried too far, and has been abused. Here again the power to protect themselves is ample, and needs but to be called into play. The American people are entirely capable of protecting themselves in all of the several States and in each community.

The real danger in any attempt at control of corporations by the Federal Government is that it would be made the excuse for preventing the people of the States from guarding their own interests. Under the plea of a Federal license, the dangeous and predatory concerns would claim the right to invade the whole country, without regard to the protests or sound requirements of the States that might desire to protect their people. We are not infants. We do not require the protection of any Bureau at Washington. In fact, supervision by the National Government would be a farce. No matter how good the intent might be, it would be impossible to supervise the business interests of this great, vigorous country of ours by any bureau of clerks at the National capital. Such an attempt would be unwise and un-American. We believe in home rule, and the right and duty of self-government in this country; and it would be a sorry day indeed when the people of any State in the Union acknowledge their inability to protect themselves from the evils and dangerous practices of a corporation created under the laws of their own State, or that of any other State of the Union.

Just give the people a chance. Do not fetter them or tie their hands by any attempt to take from them the power of control, by centralizing it at Washington, and there will be no difficulty in properly protecting every right and in preventing its invasion. No greater calamity could befall us as a Nation than the formation of the habit of looking to Washington for help, instead of helping ourselves at home. The curse of Russia is its system of bureaucracy and centralization. Let us not turn our faces towards a system which Russia is struggling to throw off. Urge, rather, the assumption of thorough and reasonable control by each State over the corporations which it creates, and the exercise of the right by each State to exclude from its borders such corporations, created by other States, as do not comply with its own reasonable requirements enacted for the protection of its own citizens. In other words, let each State require from the stranger within its gates the observance of the same rules and regulations which it imposes upon its own people for their own good. Were this done, there could be no reasonable complaint.

W. P. POTTER.
Supreme Court of Pennsylvania, Justices' Chambers, Pittsburg, Pennsylvania.

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